HOUSE JUDICIARY COMMITTEE

Chairman Jim Jordan

EXPORTING CENSORSHIP: HOW GARM'S ADVERTISING CARTEL HELPED CORPORATIONS COLLUDE WITH FOREIGN GOVERNMENTS TO SILENCE AMERICAN SPEECH

Interim Staff Report of the

Committee on the Judiciary

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EXECUTIVE SUMMARY

The Committee on the Judiciary has jurisdiction over the "[p]rotection of trade and commerce against unlawful restraints and monopolies."[1] In exercising oversight of the adequacy and sufficiency of existing U.S. antitrust laws, the Committee opened an investigation into the World Federation of Advertisers (WFA) and its Global Alliance for Responsible Media (GARM) initiative.[2] Through this oversight, the Committee uncovered evidence that some of the world's largest companies colluded through GARM to control online content and censor disfavored speech.[3]

The Committee's oversight revealed the extent to which GARM uses its market power to act as a cartel. The WFA's members control roughly 90 percent of all global annual advertising spending, amounting to almost one trillion dollars.[4] Founded in 2019 as an initiative of the WFA, GARM served as a so-called "digital safety" initiative composed of over 100 corporate members, including well-known brands with some of the largest advertising budgets in the world.[5] GARM was governed by its "Steer Team," a self-described board of directors that led GARM and included representatives from the most powerful brands, advertising agencies, and industry groups, and worked to "effectively reduce the availability and monetization" of online content GARM unilaterally deemed harmful.[6]

After a year-long investigation, the Committee released an initial report in July 2024 detailing GARM's collusive conduct and the cartel's actions to restrain the types of content available to consumers online.[7] Following the release of the Committee's report, groups harmed by GARM's collusive actions filed a lawsuit against the initiative.[8] In August 2024, GARM announced that it would cease all operations effective immediately.[9]

This report presents additional information obtained during the Committee's investigation detailing the ways in which GARM has coordinated its efforts with foreign governments to achieve these goals. Documents and communications produced to the Committee show that:

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[1] Rules of the House of Representatives R. X (2025).
[2] Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Raja Rajamannar, President, World Federation of Advertisers, and Robert Rakowitz, Initiative Lead and co-founder, Global Alliance for Responsible Media (Mar. 22, 2023).
[3] Staff of the House Committee on the Judiciary, 118th Cong., GARM'S HARM – HOW THE WORLD'S BIGGEST BRANDS SEEK TO CONTROL ONLINE SPEECH (2024), (hereinafter "July 2024 GARM Report").
[4] *Who We Are*, WORLD FEDERATION OF ADVERTISERS (last visited June 16, 2025); *see also* July 2024 GARM Report, *supra* note 3, at 1.
[5] Press Release, GARM, Global Alliance for Responsible Media launches to address digital safety (June 18, 2019); *see also* July 2024 GARM Report, *supra* note 3, at 7-8.
[6] *See* July 2024 GARM Report, *supra* note 3, at 7-8; *see also* July 2024 GARM Report, *supra* note 3, at Appendix 10.
[7] *See generally* July 2024 GARM Report, *supra* note 3; The July report demonstrated that through the collective power of its members, GARM boycotted Twitter following Elon Musk's acquisition of the platform, attacked podcasts such as *The Joe Rogan Experience* (JRE) for certain discussions related to COVID-19, and even discussed blacklisting conservative outlets like *Breitbart* because GARM and its members "hated [*Breitbart's*] ideology and bulls**t.".
[8] *See generally* X Corp. v. World Fed'n of Advertisers, No. 7:24-cv-00114 (N.D. Tex. filed Aug. 6, 2024); *see also* Rumble Inc. v. World Fed'n of Advertisers, No. 7:24-cv-00115 (N.D. Tex. filed Aug. 6, 2024).
[9] Press Release, GARM, Statement on the Global Alliance for Responsible Media (GARM) (Aug. 9, 2024).

- **GARM colluded with both advertisers and foreign regulators to pressure Twitter[10] to comply with GARM's demands.** Specifically, documents received by the Committee show that a European bureaucrat told the WFA that advertisers should pressure the European Commission (EC) "to push Twitter to deliver on GARM asks."[11] In Australia, eSafety Commissioner Julie Inman Grant relied on GARM to inform her "engagement [with Twitter] and regulatory decisions,"[12] highlighting GARM's "*significant collective power* in helping to hold the platforms to account."[13] In another message on that email thread, GARM's Initiative Lead and co-founder, Robert Rakowitz, stated that silencing President Trump was his "main thing," likening the President's rhetoric to a "contagion" that he must contain "to protect infection overall."[14]

- **GARM distributed nonpublic information about Twitter to member companies knowing that it would lead to boycotts of Twitter.** In response to the change in Twitter's ownership in October 2022, GARM began providing its members with information relating to Twitter's compliance with GARM's "voluntary" standards.[15] This information, known as the Platform Adoption Grids, was previously unavailable to GARM members.[16] GARM knew that if Twitter did not comply with these standards, GARM members would boycott the platform.[17] In an email, Mr. Rakowitz explicitly stated that this material was released to GARM's members in an effort to track Twitter's behavior and, if Twitter did not comply with the standards, to encourage GARM's members not to advertise on Twitter.[18] Under existing antitrust caselaw, this conduct could be unlawful as the natural effect of this information sharing would restrain trade, and the information was intended to compel and coerce Twitter to follow GARM's preferred course of action.[19]

- **GARM prepared coordinated statements for its members urging a boycott of Twitter.** Mr. Rakowitz drafted a statement in which he attempted to directly convey to GARM's members that they should not be advertising on Twitter. In an email to WFA CEO Stephan Loerke explaining the statement, Mr. Rakowitz stated that GARM "navigated the situation as best as we can in terms of our anticompetitive statues [sic] and have gone as close as possible" as he could to saying Twitter "is unsafe, cease and desist."[20] These actions may constitute a violation of the antitrust laws, as GARM appears to be directing its members to engage in a coordinated boycott of Twitter or

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[10] Although Twitter was rebranded as X in 2023, this report refers to the company as Twitter for clarity and consistency.
[11] HJC-WFA-GARM-000113922; *see also infra* Section II.A.
[12] HJC-WFA-GARM-000111209; *see also infra* Section II.A.
[13] HJC-WFA-GARM-000111209, at -212 (emphasis added).
[14] HJC-WFA-GARM-000111209, at -210.
[15] *See infra* Section II.B; *see also* HJC-WFA-GARM-000113922.
[16] HJC-WFA-GARM-000113922, at -924.
[17] *Id*.
[18] *Id*.
[19] *See Eastern States Retail Lumber Dealers' Ass'n v. U.S.*, 234 U.S. 600, 608-609 (1914). *see also Loewe v. Lawlor*, 208 U.S. 274, 275 (1908).
[20] HJC-WFA-GARM-000114771; *see also infra* Section II.C.

otherwise signaling to them that withdrawing advertisements from the platform is a recommended best practice.[21] Under the antitrust laws, *individual* members of GARM are free to withhold advertising investment from any entity based on their individual needs. However, GARM is not within its rights to direct its members to undertake collective action.[22]

- **GARM pressured social media companies to remove content despite knowing that its efforts were unwanted by American consumers.** According to GARM's own documents, Gallup polling showed that 66 percent of American consumers valued free expression over protection from harmful content during the same period GARM was engaging in its coordinated behavior.[23] In spite of that, GARM chose to continue its efforts to "eliminate all categories of harmful content in the fastest possible timing."[24]

Despite GARM's dissolution, some of its members continued to engage in collusive conduct. In September 2024, it was revealed that a new coalition had formed to carry on GARM's efforts led by the advertising agency Dentsu—a founding member of GARM—and The 614 Group—an advertising consulting firm that worked closely with GARM throughout its existence.[25] In a press release announcing the new coalition, Dentsu and The 614 Group stated that their goal was to "ensure that journalism . . . thrives by *leveraging the collective power* of the industry's foremost players."[26] Given its striking similarities to GARM, the Committee wrote to Dentsu requesting documents related to the formation of this new initiative.[27] In response, Dentsu notified the Committee that it had chosen "not to pursue the initiative . . . and further not to pursue any other effort with similar aims."[28]

After GARM disbanded, some of its most prominent participants spoke candidly about the initiative's conduct and the implications of brand safety more broadly. Gerry D'Angelo, a former employee of Procter & Gamble and a key member of GARM's leadership, stated that "[i]f you were to ask me and say, 'Did we go too far in those first rounds of exclusionary restrictions?' I would say yes."[29] Notably, advertising agencies are now ending restrictive brand safety measures because such measures "undermin[ed] [advertisers'] own business objectives *by requiring them to boycott too many websites*" and the negative consequences GARM claimed

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[21] *Klor's, Inc. v. Broadway-Hale Stores*, 359 U.S. 207, 210-12 (1959).
[22] *See Grenada Lumber Co. v. Mississippi*, 217 U.S. 433, 440-441 (1910) ("An act harmless when done by one may become a public wrong when done by many, acting in concert, for it then takes on the form of a conspiracy, and may be prohibited or punished if the result be hurtful to the public[.]").
[23] HJC-WFA-GARM-000123316, at -317; *see also infra* Section III.
[24] HJC-WFA-GARM-000060610, at -611; *see also infra* Section II.D.
[25] Press Release, Dentsu, Dentsu and The 614 Group Spearhead a New Coalition to Enhance Investment in News (Sept. 4, 2024); Joe Mandese, *Dentsu Unveils Post-GARM Ad Coalition, Backs Credible News Media*, MEDIAPOST (Sept. 5, 2024).
[26] Press Release, Dentsu, Dentsu and The 614 Group Spearhead a New Coalition to Enhance Investment in News (Sept. 4, 2024) (emphasis added).
[27] Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Michael Komasinski, Dentsu Americas (Oct. 3, 2024).
[28] Letter from Susan Zoch, General Counsel Americas, Dentsu, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Oct. 17, 2024) (on file with the Committee).
[29] Catherine Perloff, *Advertisers Retreat From Social Media Policing*, THE INFORMATION (Nov. 22, 2024).

would happen never actually materialized.[30] GARM's collusive activity not only hurt consumers but also GARM's members who sacrificed opportunities because they were led to believe that these brand safety precautions were both necessary and beneficial in promoting advertisers' core business objectives.

GARM attacked the ability of Americans to access relevant advertisements and online content under the misguided banner of brand safety, preventing consumer preferences from driving market outcomes and replacing those preferences with the wishes of an ideologically motivated cartel.[31] Cartels like GARM undermine American's civil liberties, limit consumers' freedom to choose among competing products and services, and deprive consumers of the benefits of the free market. The Committee will continue to exercise its oversight of the adequacy and sufficiency of existing U.S. antitrust laws and evaluate potential legislative reforms by vigorously investigating entities that seek to infringe on American consumers' civil liberties and access to free and fair markets.

[30] *Id* (emphasis added).
[31] Press Release, Stagwell Inc., Stagwell (STGW) Releases News Advertising Study Revealing It is Safe for Brands to Advertise Adjacent to Quality News Content Despite Overblown Fears (May 15, 2024); *see also* Catherine Perloff, *Advertisers Retreat From Social Media Policing*, THE INFORMATION (Nov. 22, 2024).

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I. FOREIGN REGULATIONS AIMED AT CENSORING SPEECH THREATEN AMERICAN CITIZENS

In recent years, foreign governments have adopted legislation and created regulatory regimes in an effort to target and restrict various forms of online speech. Foreign regulators have even attempted to use their authority to restrict the content that American citizens can view online while in the United States.[32] In particular, the European Commission (EC) and Australia's eSafety Commissioner have taken steps to limit the types of content that Americans are able to access on social media platforms.

The European Commission

The EC is a "politically independent executive arm" of the European Union (EU) that has the power to both enforce existing laws and draft new legislative proposals.[33] The EC is composed of Directorate-Generals (DGs), which are policy departments with jurisdiction over a specific subject matter or policy area.[34] The EC's Directorate-General for Communications Networks, Content and Technology—commonly referred to as DG Connect—is in charge of regulating the European digital economy, including social media platforms and search engines.[35] Between 2019 and 2024, DG Connect was overseen by European Commissioner Thierry Breton.[36]

In 2022, the European Union enacted the Digital Services Act (DSA), which subjects "intermediary services," such as online platforms and search engines, to strict regulatory obligations.[37] The DSA designates platforms and search engines that serve at least 45 million monthly users as Very Large Online Platforms (VLOPs) or Very Large Online Search Engines (VLOSEs).[38] Under the DSA, VLOPs and VLOSEs must "mitigate" vaguely defined "systemic risks," including risks related to "disinformation" and alleged "harmful content."[39] The DSA authorizes the EC to fine platforms and search engines deemed non-compliant up to 6 percent of the firm's annual global revenue.[40] Notably, VLOP and VLOSE designations almost exclusively

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[32] *See infra* note 50; *see also infra* note 57.
[33] *Overview*, EUROPEAN COMMISSION, https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/search-all-eu-institutions-and-bodies/european-commission_en#:~:text=Overview&text=The%20European%20Commission%20is%20the,the%20Council%20of%20the%20EU (last visited June 16, 2025).
[34] *Id*; *Departments and executive agencies*, EUROPEAN COMMISSION, https://commission.europa.eu/about/departments-and-executive-agencies_en (last visited June 16, 2025).
[35] *Communications Networks, Content and Technology*, EUROPEAN COMMISSION, https://commission.europa.eu/about/departments-and-executive-agencies/communications-networks-content-and-technology_en (last visited June 16, 2025).
[36] *Thierry Breton*, EUROPEAN COMMISSION, https://commissioners.ec.europa.eu/thierry-breton_en (last visited June 16, 2025).
[37] *The Digital Services Act*, EUROPEAN COMMISSION, https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/digital-services-act_en (last visited June 16, 2025).
[38] *DSA: Very Large Online Platforms and Search Engines*, EUROPEAN COMMISSION, https://digital-strategy.ec.europa.eu/en/policies/dsa-vlops (last visited June 16, 2025).
[39] *Id*; *see also Questions and answers on the Digital Services Act*, EUROPEAN COMMISSION (Feb. 22, 2024).
[40] *Questions and answers on the Digital Services Act*, EUROPEAN COMMISSION (Feb. 22, 2024) ("The Commission has the same supervisory powers as it has under current anti-trust rules, including investigatory powers and the ability to impose fines of up to 6% of global revenue.").

apply to American companies such as Meta, Twitter, Amazon, and Alphabet/YouTube, along with many other recognizable American firms.[41]

Given the EC's ability to impose massive penalties through its enforcement powers, European regulations, like the DSA, incentivize social media platforms to shift their moderation policies to align more closely with the preferences and directives of European regulators.[42] Vague, overly burdensome regulations targeted at so-called "systemic risks" create an environment in which platforms are more likely to remove or demote lawful content to avoid potential fines.[43] The ability of European regulations to exert extraterritorial influence over American companies and consumers in this manner is often referred to as the "Brussels Effect."[44]

Similarly, the EU's Digital Markets Act (DMA) is another law that European regulators use to pressure American companies to change their behavior. Under the DMA, the EC has the power to designate companies that provide certain "core platform services" as "gatekeepers," subjecting them to strict regulatory obligations and hefty fines for noncompliance.[45] Rather than taking an American-style approach to antitrust enforcement aimed at addressing behavior based on evidence of its effect on competition, the DMA adopts a more burdensome approach that prohibits entire categories of conduct outright without regard to whether that conduct is actually anticompetitive.[46] Scholars have already raised concerns about the DMA's framework, noting that it could stifle innovation, increase prices for businesses that use digital services, and ultimately enable Chinese-owned firms to seize a larger share of the European market.[47] Notably, six of the seven companies that the EC has designated as gatekeepers are American-owned businesses or subsidiaries of American-owned businesses.[48] Given that fines under the DMA can reach as high as 20 percent of a company's global annual revenue, the DMA is a powerful tool that European regulators can use to pressure American businesses to submit to their demands.

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[41] *Supervision of the designated very large online platforms and search engines under DSA*, EUROPEAN COMMISSION (May 27, 2025).
[42] *See, e.g.,* Dawn Carla Nunziato, *The Digital Services Act and the Brussels Effect on Platform Content Moderation*, 24 CHIC. J. INT. LAW 115 (2023) ("In short, the DSA's substantive content moderation and notice and take down provisions will likely incentivize the platforms to remove large swaths of content… And the platforms will likely alter their globally applicable terms of service and content moderation guidelines in response to the DSA's mandates in ways that will be speech-restrictive worldwide.").
[43] *Id*.
[44] Anu Bradford, *The Brussels Effect*, 107 Nw. U. L. Rev. 1 (2015), https://scholarlycommons.law.northwestern.edu/nulr/vol107/iss1/1.
[45] *About the Digital Markets Act*, EUROPEAN COMMISSION, https://digital-markets-act.ec.europa.eu/about-dma_en (last visited June 16, 2025) ("Gatekeepers are large digital platforms providing so called core platform services, such as online search engines, app stores, messenger services.").
[46] *About the Digital Markets Act*, EUROPEAN COMMISSION, https://digital-markets-act.ec.europa.eu/about-dma_en (last visited June 16, 2025).
[47] Kati Suominen, *Implications of the European Union's Digital Regulations on U.S. and EU Economic and Strategic Interests*, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES (Nov. 22, 2022).
[48] *Gatekeepers*, EUROPEAN COMMISSION, https://digital-markets-act.ec.europa.eu/gatekeepers_en (last visited June 16, 2025).

European regulators have sought to weaponize their statutory authority to limit the speech of American citizens.[49] In August 2024, for example, then-Commissioner Breton threatened Twitter with potential DSA enforcement due to a scheduled discussion with President Donald Trump relating to the U.S. presidential election.[50] In a letter to Twitter CEO Elon Musk, Mr. Breton said the discussion had the potential to contain content that "may incite violence, hate and racism," and could result in "spillovers in the EU," requiring action from European regulators.[51] Mr. Breton threatened Mr. Musk that the EC "will not hesitate to make full use" of its extensive regulatory "toolbox" if Mr. Musk failed to comply with Mr. Breton's demand.[52]

Australia's eSafety Commissioner

Australia has also passed laws attempting to regulate online speech. In 2015, the Australian Parliament passed the Enhancing Online Safety for Children Act.[53] Among other things, the law established Australia's eSafety Commissioner and gave the Commissioner authority to demand the removal of certain types of content from social media platforms.[54] In 2021, the Australian Parliament expanded the law to broaden the power of the Commissioner, encompass a wider range of allegedly "harmful" content (including "offensive" and "harassing" content), and extend the scope of the law to all Australian adults.[55] Under the new Online Safety Act, the Commissioner is empowered to "regulate illegal and restricted content *no matter where it's hosted*."[56] Australia's current eSafety Commissioner, Julie Inman Grant, has used the law to regulate so-called "harmful" content and demand that social media platforms remove content globally, including content that would otherwise be accessible to American citizens in the United States.[57]

In particular, Commissioner Grant has engaged in an aggressive regulatory campaign against Twitter. In April 2024, Commissioner Grant ordered Twitter to remove certain content from its platform, including content surrounding the stabbing of an Australian bishop.[58] In response to this order, Twitter blocked the content from being shown to its Australian users.[59] However, Commissioner Grant demanded that Twitter block the content from being shown to all Twitter users globally, a position that even the victim of the attack opposed.[60] Ultimately, an

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[49] *See e.g.,* Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Thierry Breton, Comm'r for Internal Market, European Comm'n (Aug. 15, 2024).
[50] Thierry Breton (@ThierryBreton), X (Aug. 12, 2024, 12:25 PM), https://x.com/ThierryBreton/status/1823033048109367549.
[51] *Id.*
[52] *Id*.
[53] *See generally Enhancing Online Safety for Children Act 2015* (No. 24, 2015).
[54] *Id*.
[55] *See generally Online Safety Act 2021* (No. 76, 2021); *Learn About the Online Safety Act*, AUSTRALIAN GOVERNMENT | ESAFETY COMMISSIONER, https://www.esafety.gov.au/newsroom/whats-on/online-safety-act (last visited June 16, 2025).
[56] *Learn About the Online Safety Act*, AUSTRALIAN GOVERNMENT | ESAFETY COMMISSIONER, https://www.esafety.gov.au/newsroom/whats-on/online-safety-act (last visited June 16, 2025) (emphasis added).
[57] X Global Government Affairs (@GlobalAffairs), X (Apr. 19, 2024, 11:20 AM), https://x.com/GlobalAffairs/status/1781342060668174707.
[58] *Id.*
[59] *Id.*
[60] *Id*; Josh Taylor, *Bishop will argue video of his Sydney church stabbing should not be removed from Elon Musk's X, court hears,* THE GUARDIAN (Apr. 24, 2024).

Australian court ruled against Commissioner Grant and her request to keep the material blocked from all Twitter users.[61] During the course of the proceedings, Twitter argued that global take-down requests set a dangerous precedent whereby one country's regulators can dictate what citizens of another country are allowed to view online.[62]

II. GARM COLLUDED WITH ADVERTISERS AND FOREIGN REGULATORS TO PRESSURE TWITTER TO COMPLY WITH ITS DEMANDS.

The Committee's initial report found that at GARM's direction, large advertisers collectively boycotted Twitter following Elon Musk's acquisition of the platform.[63] Contemporaneous documents obtained by the Committee showed that Mr. Rakowitz took credit for Twitter's subsequent decline in revenue following the acquisition.[64] GARM's influence was so strong that one of its members asked GARM for permission to return its advertisements to Twitter.[65]

As noted in the Committee's initial report, Mr. Rakowitz denied organizing a boycott of Twitter.[66] However, additional documents obtained by the Committee reveal GARM's role in facilitating a boycott by disseminating nonpublic information about Twitter that GARM knew would trigger the boycott.[67] The information was disseminated by GARM as part of a broader effort to force Twitter to comply with GARM's censorship demands.[68] The information was not otherwise available to GARM's members and was shared in direct response to Mr. Musk's acquisition of Twitter.[69]

In addition to providing nonpublic information to its members to initiate a boycott, GARM coordinated with foreign regulators to further pressure Twitter into complying with its demands.[70] Specifically, GARM coordinated with the EC's Head of Unit for Digital Services and Platforms, Prabhat Agarwal, and Australia's eSafety Commissioner, Julie Inman Grant.[71] Mr. Agarwal works for DG Connect and is responsible for enforcing the DSA.[72] At the time, Mr. Agarwal reported to Commissioner Breton,[73] and Commissioner Grant was Australia's primary

[61] Sumathi Bala, *Musk's X wins court reprieve in fight against Australian government over church stabbing videos,* CNBC (May 13, 2024).
[62] *Id*.
[63] *See* July 2024 GARM Report, *supra* note 3, at 12-17.
[64] *See* July 2024 GARM Report, *supra* note 3, at 16.
[65] *See* July 2024 GARM Report, *supra* note 3, at 12-13 ("Based on [GARM's] recommendations, we have stopped all paid advertisement [sic] [on Twitter] … But its [sic] an important platform for us to reach our audience, so we would like to consider going back, we just need to know whether or not the platform is safe[.]").
[66] *See* July 2024 GARM Report, *supra* note 3, at 13.
[67] *See infra* Section II.B.
[68] *Id.*
[69] *Id*.
[70] *See infra* Section II.A.
[71] *Id*; *see also* HJC-WFA-GARM-000113922; *see also* HJC-WFA-GARM-000111209.
[72] *Prabhat Agarwal*, RE:PUBLICA 25, https://re-publica.com/en/user/20106 (last visited June 16, 2025).
[73] European Commission, *supra* note 36.

online safety regulator tasked with protecting Australians from the alleged dangers of so-called "online harm."[74]

GARM's collusive conduct may constitute a violation of U.S. antitrust law. Section 1 of the Sherman Act makes unreasonable restraints of trade illegal and punishable through both civil and criminal penalties.[75] The caselaw is clear that agreements to limit consumer choice and restrict output, including group boycotts, serve as unreasonable restraints of trade.[76] The Supreme Court has held that collectively utilizing market power to compel or coerce concessions from a third party is illegal and constitutes an unlawful restraint in violation of the Sherman Act.[77] In fact, the Supreme Court has held that even the circulation of material that has the natural effect of restraining trade is illegal,[78] explaining that "[c]onspiracies are seldom capable of proof by direct testimony, and a conspiracy to accomplish that which is their natural consequence may be inferred from the things actually done."[79]

An inference of collusive conduct can be drawn from GARM's actions. GARM's founder, Mr. Rakowitz, wrote that GARM was focused on "ensuring that we fund the voices we want to associate with, and close down the advertising ecosystem to bad actors."[80] Mr. Rakowitz stated that he intended to trigger a boycott of Twitter by releasing confidential information to GARM members in email communications with WFA leadership,[81] and a GARM member memorialized the boycott in writing.[82] Documents show that Mr. Rakowitz went as far as to draft a statement instructing GARM's members to "cease and desist" advertising on Twitter.[83] These actions demonstrate GARM's efforts to limit consumers' ability to choose from a diverse offering of products and reduce the quality of the products already available to them. The implicit agreements made by GARM and its members were intended to force Twitter to serve GARM instead of its consumers and to prevent Twitter from offering consumers a platform dedicated to free speech and expression.

A. GARM coordinated with foreign regulators to pressure Twitter to abide by GARM's demands.

GARM coordinated its efforts to target Twitter with foreign regulators working to stifle free speech outside their own borders. Documents obtained by the Committee show that GARM colluded with the European Commission (EC) and Australia's eSafety Commissioner in an effort

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[74] *What We Do*, AUSTRALIAN GOVERNMENT | ESAFETY COMMISSIONER, https://www.esafety.gov.au/about-us/what-we-do (last visited June 16, 2025).
[75] 15 U.S.C. § 1.
[76] *FTC v. Indiana Fed'n of Dentists*, 476 U.S. 447, 459 (1986) ("The Federation's policy takes the form of a horizontal agreement among the participating dentists to withhold from their customers a particular service that they desire"); *NCAA v. Board of Regents of University of Oklahoma*, 468 U.S. 85, 113 (1984); *Klor's, Inc. v. Broadway-Hale Stores*, 359 U.S. 207, 210-12 (1959); *Loewe v. Lawlor*, 208 U.S. 274 (1908).
[77] *See Eastern States Retail Lumber Dealers' Ass'n v. U.S.*, 234 U.S. 600, 608-609 (1914). *See also Loewe v. Lawlor*, 208 U.S. 274, 275 (1908).
[78] *See Eastern States Retail Lumber Dealers' Ass'n v. U.S.*, 234 U.S. 600, 609 (1914).
[79] *Eastern States Retail Lumber Dealers' Ass'n v. U.S.*, 234 U.S. 600, 612 (1914).
[80] *See* July 2024 GARM Report, *supra* note 3, at Appendix 37.
[81] HJC-WFA-GARM-000113922, at -924.
[82] *See* July 2024 GARM Report, *supra* note 3, at 12-13.
[83] *See infra* Section II.C; HJC-WFA-GARM-000114771.

to force Twitter to comply with GARM's demands. Specifically, these documents suggest that an EC bureaucrat encouraged representatives of the WFA—the organization that runs GARM—to engage with the broader Commission and push it to raise GARM's demands in the Commission's interactions with Twitter.[84] In addition, GARM worked with the Australian eSafety Commissioner to coordinate their responses to the acquisition of Twitter, with Commissioner Grant specifically highlighting GARM's ability to collectively influence Twitter and other social media platforms.[85] These interactions provide evidence of how GARM used the collective power and influence of its members to attempt to transform its "voluntary" standards into compulsory obligations.

The European Commission

On November 1, 2022, less than one week after Mr. Musk acquired Twitter, Mr. Rakowitz emailed WFA leadership to outline how GARM's Steer Team would respond to the transaction.[86] In reply to that email, one of WFA's employees noted that Mr. Agarwal, an EC bureaucrat, had said that GARM's viewpoints about the acquisition "would be a priority for his teams,"[87] and that this coordination with European regulators was "a real testament to how much [the EC] value[s] our expertise and collaboration."[88]

Documents obtained by the Committee show that representatives of the WFA spoke with Mr. Agarwal about the ways in which GARM's standards and demands could be included in the EC's separate interactions with Twitter. In one email, a WFA employee wrote that Mr. Agarwal was "aware that Twitter's brand safety teams are changing and there could be opportunity, as the Commission engages with Twitter themselves in the context of [the] DSA, for us to encourage the EC to push Twitter to deliver on GARM asks."[89] The WFA employee suggested that once GARM's plan relating to the acquisition was finalized, GARM should contact Mr. Agarwal to convey the group's "key messages" to the EC.[90]

In response, WFA's CEO Stephan Loerke wrote that it is "[g]reat to have the EU Commission on our side."[91] Mr. Rakowitz responded, "LOVE THIS. I am so happy to be firing on all pistons."[92] At the least, these communications reflect a partnership between GARM and European regulators to demand that Mr. Musk and Twitter take a GARM-endorsed course of action. Such a coordinated approach toward Twitter shows how GARM sought to use its influence and collective power to transform GARM's "voluntary" guidance into mandatory standards.

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[84] *See generally* HJC-WFA-GARM-000113922.
[85] *See generally* HJC-WFA-GARM-000111209.
[86] HJC-WFA-GARM-000113922, at -924.
[87] HJC-WFA-GARM-000113922.
[88] *Id.*
[89] *Id.*
[90] HJC-WFA-GARM-000113922, at -923.
[91] HJC-WFA-GARM-000113922.
[92] *Id.*

From: Stephan Loerke [redacted]@wfanet.org>
Date: Wednesday, November 2, 2022 at 08:21
To: [redacted]@wfanet.org>, Rob Rakowitz [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: RE: GARM / Twitter plan

Great to have the EU Commission on our side

From: [redacted]@wfanet.org>
Sent: 02 November 2022 13:15
To: Rob Rakowitz [redacted]@wfanet.org>; Stephan Loerke [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: RE: GARM / Twitter plan

I think this sounds like a great plan, Rob. Let me know when/how I can support

FYI I just spoke to Prabhat Agarwal (Head of Unit for Platforms at DG Connect, European Commission) here in Prague during a European Commission conference. He's very keen to hear our perspectives on Musk Twitter acquisition. I said we'd follow up with him to set up a time to discuss and share our perspectives/concerns. He said a conversation with us would

be a priority for his teams – a real testament to how much they value our expertise and collaboration!

He's aware that Twitter's brand safety teams are changing and there could be opportunity, as the Commission engages with Twitter themselves in the context of DSA, for us to encourage the EC to push Twitter to deliver on GARM asks

I suggest we reach out to Prabhat towards the mid/end of next week, when we have approval on the below plan, responses to the benchmark (the questions for which we are currently finalising) and further data on safety monitoring. We'll need to align on what we want our key messages to be

Let me know your thoughts,
[redacted]

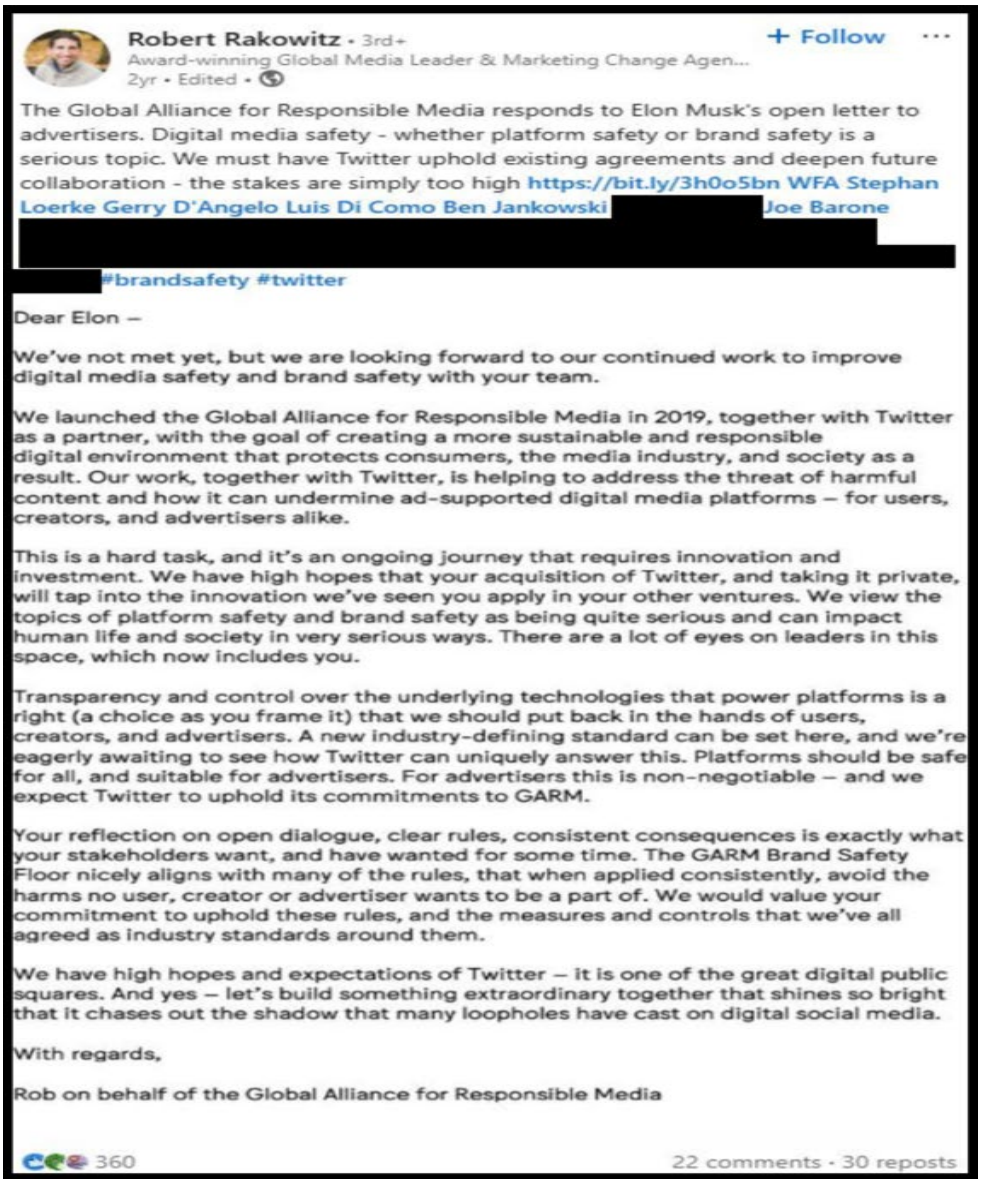
Email from a WFA employee memorializing the group's coordination with the European Commission.[93]

Australia's eSafety Commissioner

In Australia, GARM coordinated with Commissioner Grant to identify areas in which they could align their responses to Mr. Musk's acquisition of Twitter. In November 2022, Mr. Rakowitz contacted Commissioner Grant to discuss a list of questions he had sent to Twitter.[94] Mr. Rakowitz's initial email suggests he sought Commissioner Grant's input and intended to keep her informed of GARM's interactions with Twitter.[95] In her response, Commissioner Grant expressed support for a social media post by Mr. Rakowitz, apparently a reference to a post that

[93] HJC-WFA-GARM-000113922, at -922-923.
[94] HJC-WFA-GARM-000111209, at -213.
[95] *Id*.

GARM "expect[ed] Twitter to uphold its commitments to GARM."[96] The post was issued on behalf of GARM and tagged every member of GARM's Steer Team.[97]



Robert Rakowitz · 3rd+
Award-winning Global Media Leader & Marketing Change Agen...
2yr · Edited ·

+ Follow ···

The Global Alliance for Responsible Media responds to Elon Musk's open letter to advertisers. Digital media safety - whether platform safety or brand safety is a serious topic. We must have Twitter uphold existing agreements and deepen future collaboration - the stakes are simply too high https://bit.ly/3h0o5bn WFA Stephan Loerke Gerry D'Angelo Luis Di Como Ben Jankowski [redacted] Joe Barone [redacted] #brandsafety #twitter

Dear Elon –

We've not met yet, but we are looking forward to our continued work to improve digital media safety and brand safety with your team.

We launched the Global Alliance for Responsible Media in 2019, together with Twitter as a partner, with the goal of creating a more sustainable and responsible digital environment that protects consumers, the media industry, and society as a result. Our work, together with Twitter, is helping to address the threat of harmful content and how it can undermine ad-supported digital media platforms – for users, creators, and advertisers alike.

This is a hard task, and it's an ongoing journey that requires innovation and investment. We have high hopes that your acquisition of Twitter, and taking it private, will tap into the innovation we've seen you apply in your other ventures. We view the topics of platform safety and brand safety as being quite serious and can impact human life and society in very serious ways. There are a lot of eyes on leaders in this space, which now includes you.

Transparency and control over the underlying technologies that power platforms is a right (a choice as you frame it) that we should put back in the hands of users, creators, and advertisers. A new industry-defining standard can be set here, and we're eagerly awaiting to see how Twitter can uniquely answer this. Platforms should be safe for all, and suitable for advertisers. For advertisers this is non-negotiable – and we expect Twitter to uphold its commitments to GARM.

Your reflection on open dialogue, clear rules, consistent consequences is exactly what your stakeholders want, and have wanted for some time. The GARM Brand Safety Floor nicely aligns with many of the rules, that when applied consistently, avoid the harms no user, creator or advertiser wants to be a part of. We would value your commitment to uphold these rules, and the measures and controls that we've all agreed as industry standards around them.

We have high hopes and expectations of Twitter – it is one of the great digital public squares. And yes – let's build something extraordinary together that shines so bright that it chases out the shadow that many loopholes have cast on digital social media.

With regards,

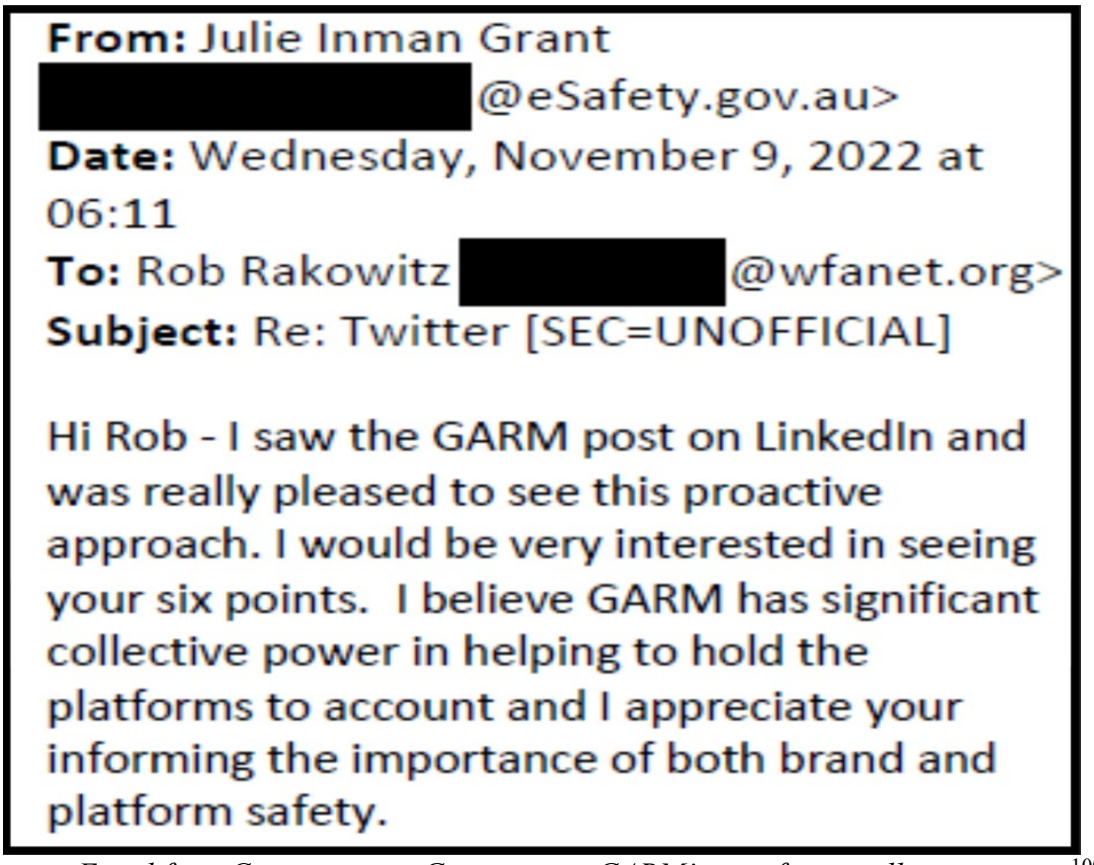
Rob on behalf of the Global Alliance for Responsible Media

360 22 comments · 30 reposts

Robert Rakowitz LinkedIn post calling on Twitter to uphold its commitments to GARM.[98]

Commissioner Grant expressed her support for GARM's coordinated statement, writing, "I believe GARM has significant *collective power* in helping to hold the platforms to account."[99]

[96] HJC-WFA-GARM-000111209, at -212; Robert Rakowitz, LinkedIn, https://www.linkedin.com/posts/rnrakowitz_brandsafety-twitter-activity-6992829059755843584-LHo-?utm_source=share&utm_medium=member_desktop (last visited June 16, 2025).
[97] Robert Rakowitz, LinkedIn (last visited June 16, 2025).
[98] *Id*.
[99] HJC-WFA-GARM-000111209, at -212 (emphasis added).

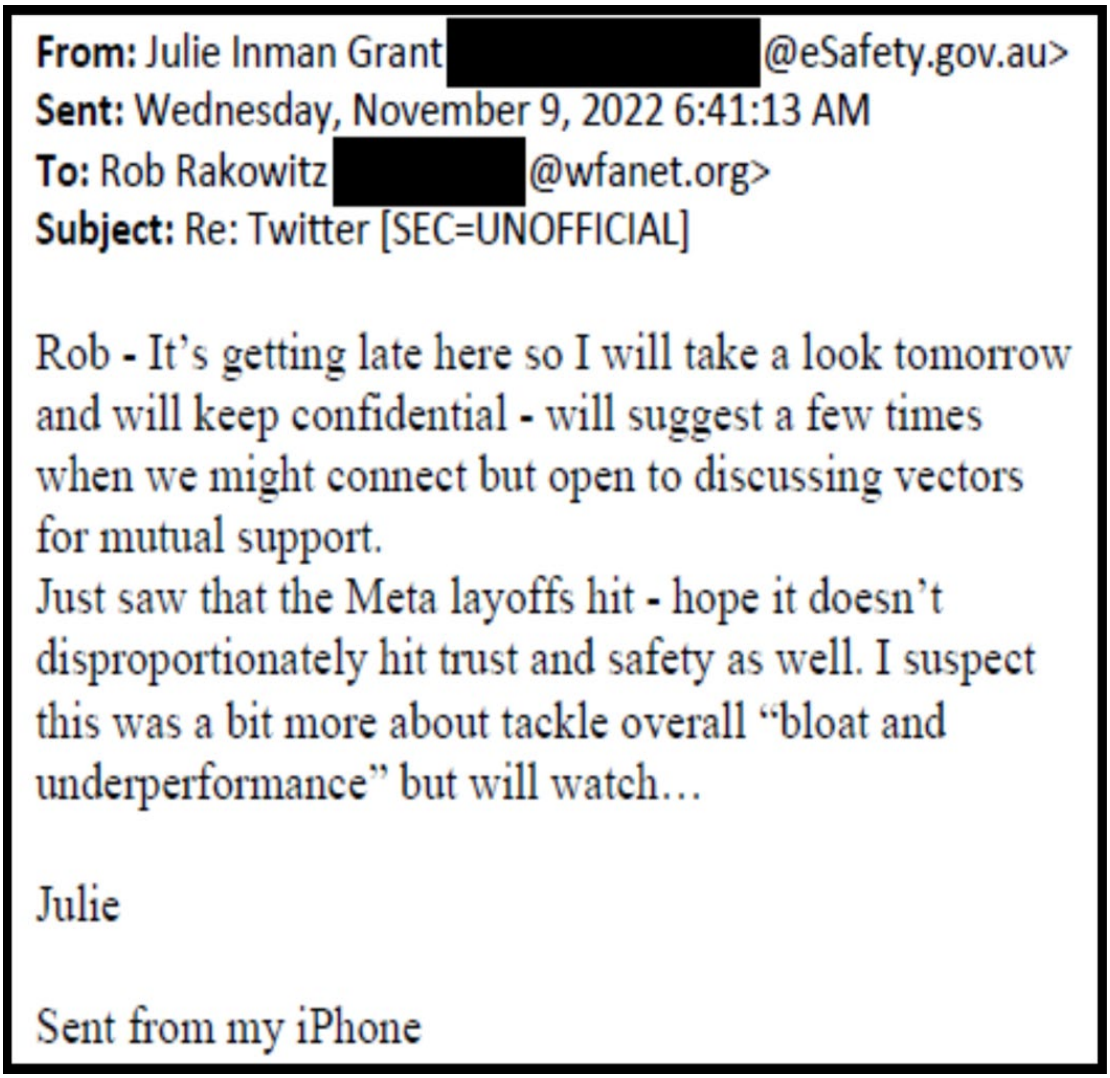

From: Julie Inman Grant [redacted]@eSafety.gov.au>
Date: Wednesday, November 9, 2022 at 06:11
To: Rob Rakowitz [redacted]@wfanet.org>
Subject: Re: Twitter [SEC=UNOFFICIAL]

Hi Rob - I saw the GARM post on LinkedIn and was really pleased to see this proactive approach. I would be very interested in seeing your six points. I believe GARM has significant collective power in helping to hold the platforms to account and I appreciate your informing the importance of both brand and platform safety.

Email from Commissioner Grant noting GARM's significant collective power.[100]

In response to Commissioner Grant's message, Mr. Rakowitz informed her of GARM's plans to pressure Mr. Musk and force him to submit to the group's demands.[101] Mr. Rakowitz emailed the specifics of the plans to Commissioner Grant and warned her, "I am sharing the attached in confidence with you. There is an ongoing major intervention."[102] Mr. Rakowitz wrote that it "would be good to cross-check [GARM's plans] and see how they line up with you" and "would be great to line up together around a shared agenda."[103] Commissioner Grant responded that she would review GARM's plans and was "open to discussing vectors for mutual support."[104]

[100] HJC-WFA-GARM-000111209, at -212.
[101] HJC-WFA-GARM-000111209, at -211.
[102] *Id*.
[103] *Id*.
[104] HJC-WFA-GARM-000111209, at -210.



From: Julie Inman Grant [redacted]@eSafety.gov.au>
Sent: Wednesday, November 9, 2022 6:41:13 AM
To: Rob Rakowitz [redacted]@wfanet.org>
Subject: Re: Twitter [SEC=UNOFFICIAL]

Rob - It's getting late here so I will take a look tomorrow and will keep confidential - will suggest a few times when we might connect but open to discussing vectors for mutual support.
Just saw that the Meta layoffs hit - hope it doesn't disproportionately hit trust and safety as well. I suspect this was a bit more about tackle overall "bloat and underperformance" but will watch…

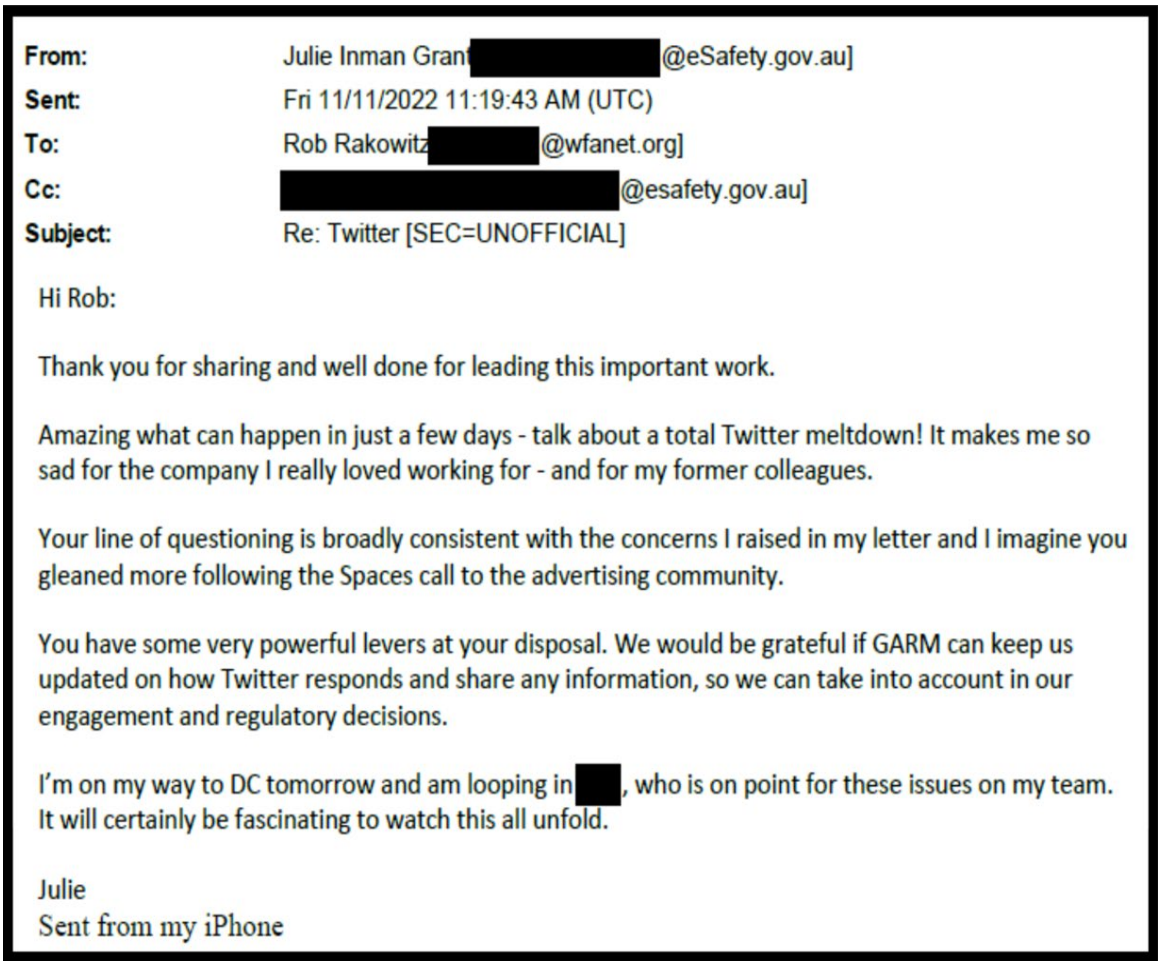
Julie

Sent from my iPhone

Email from Commissioner Grant expressing her openness to coordinating with GARM.[105]

A couple days later, Commissioner Grant emailed Mr. Rakowitz again, requesting that GARM share information with her that could inform her regulatory decisions in Australia, writing that GARM "ha[s] some *very powerful levers* at [its] disposal. We would be grateful if GARM can keep us updated on how Twitter responds and share any information, so we can take into account in our engagement and regulatory decisions."[106] This interaction with a foreign regulator is concerning in that Commissioner Grant not only emphasizes the collective power of GARM's members and the collusive nature of its plan, but also asks GARM to provide her with otherwise nonpublic information for her to use in her regulatory decisions. As discussed above, Commissioner Grant's regulatory decisions include extra-jurisdictional takedown orders that make content unavailable to all users of the Twitter platform globally.[107]

[105] HJC-WFA-GARM-000111209, at -210-211.
[106] HJC-WFA-GARM-000111209 (emphasis added).
[107] X Global Government Affairs, *supra* note 57.



From: Julie Inman Grant [redacted]@eSafety.gov.au]
Sent: Fri 11/11/2022 11:19:43 AM (UTC)
To: Rob Rakowitz [redacted]@wfanet.org]
Cc: [redacted]@esafety.gov.au]
Subject: Re: Twitter [SEC=UNOFFICIAL]

Hi Rob:

Thank you for sharing and well done for leading this important work.

Amazing what can happen in just a few days - talk about a total Twitter meltdown! It makes me so sad for the company I really loved working for - and for my former colleagues.

Your line of questioning is broadly consistent with the concerns I raised in my letter and I imagine you gleaned more following the Spaces call to the advertising community.

You have some very powerful levers at your disposal. We would be grateful if GARM can keep us updated on how Twitter responds and share any information, so we can take into account in our engagement and regulatory decisions.

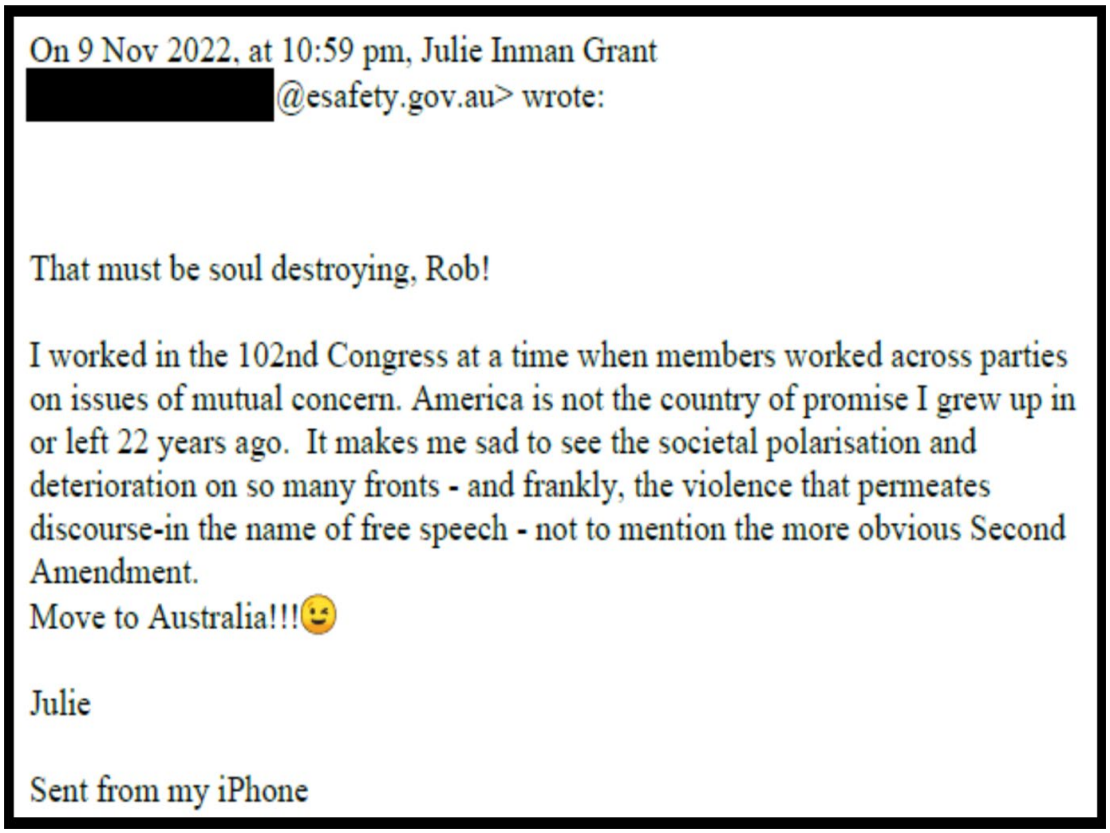
I'm on my way to DC tomorrow and am looping in [redacted], who is on point for these issues on my team. It will certainly be fascinating to watch this all unfold.

Julie
Sent from my iPhone

Email from Commissioner Grant requesting that GARM provide her with information she will then use to inform her regulatory decisions regarding Twitter.[108]

GARM's own documents show that its communication with Commissioner Grant did not stop at brand safety coordination, but that GARM also expressed a desire to make censorship decisions to stop President Trump and the "contagion" that he represents. In the same email discussion with Commissioner Grant from November 2022, Mr. Rakowitz wrote to Commissioner Grant: "My main thing is I need to see Trump and denials effectively sidelined but I am afraid the contagion is too widespread to protect infection overall."[109] In other words, one of Mr. Rakowitz's primary motivations following the 2022 U.S. midterm elections was to use GARM's collective power to "sideline" President Trump and silence First Amendment-protected speech activities of Americans who shared his views. In response, Commissioner Grant agreed with Mr. Rakowitz's motivation, writing that "America is not the country of promise I grew up in or left 22 years ago."[110] Commissioner Grant added that she was saddened by "the violence that permeates discourse-in [sic] the name of free speech – not to mention the more obvious Second Amendment."[111]

[108] HJC-WFA-GARM-000111209.
[109] HJC-WFA-GARM-000111209, at -210.
[110] HJC-WFA-GARM-000111209.
[111] *Id.*



On 9 Nov 2022, at 10:59 pm, Julie Inman Grant [redacted]@esafety.gov.au> wrote:

That must be soul destroying, Rob!

I worked in the 102nd Congress at a time when members worked across parties on issues of mutual concern. America is not the country of promise I grew up in or left 22 years ago. It makes me sad to see the societal polarisation and deterioration on so many fronts - and frankly, the violence that permeates discourse-in the name of free speech - not to mention the more obvious Second Amendment.
Move to Australia!!!😉

Julie

Sent from my iPhone

Email from Commissioner Grant disparaging the United States, the Second Amendment, and free speech protections.[112]

B. GARM circulated nonpublic information about Twitter to its members to incentivize Twitter's compliance with its demands.

Following Twitter's change of ownership, GARM sought to ensure the platform maintained its commitment to GARM and the censorial standards agreed to by Twitter prior to its change in ownership. This position was publicly outlined in a GARM press release as well as a social media post by Mr. Rakowitz, which both called for Twitter to "uphold existing commitments" to GARM.[113] In practice, those commitments would have forced Twitter to engage in censorship and limit free expression in a way that was antithetical to the new vision for the platform.[114] The Committee's initial report detailed several examples of how GARM expected online platforms to restrict online content to meet GARM's expectations, including censoring disfavored news outlets and podcasts as well as branding President Trump's Constitutionally protected political speech as misinformation.[115] The Committee cited documents showing that Mr. Rakowitz believed that one platform's decision not to label President Trump's

[112] *Id.*
[113] Press Release, GARM, GARM Calls on Twitter to uphold existing commitments on brand safety and deepen future collaboration (Oct. 31, 2022); Rakowitz, *supra* note 96.
[114] *See infra* Section II.B; *see also infra* note 117.
[115] *See* July 2024 GARM Report, *supra* note 3, at Sections II.C, II.B, II.D.

campaign advertisements as misinformation was "honestly reprehensible."[116] Given the desire following Twitter's change in leadership to reorient the platform around the principle of free expression, GARM's demands for censorship or the demotion of disfavored content would restrict the company's ability to meet this new vision.[117]

To ensure Twitter remained compliant with the previous leadership's commitments, GARM created a plan that would force Twitter to uphold the requirements or risk boycotts by some of the world's largest advertisers.[118] Documents obtained by the Committee demonstrate that GARM's goal was to force Twitter into taking GARM's preferred course of action.[119] Mr. Rakowitz noted specifically that the plan was intended to issue Twitter "punchy requests" to "ensure they are upholding commitments" to GARM.[120] GARM communicated this plan with both EU and Australian regulators.[121]

In an email to WFA CEO Stephan Loerke and other WFA employees, Mr. Rakowitz offered details about GARM's plan for Twitter.[122] In that email, Mr. Rakowitz attached a slide deck that highlighted the group's concerns with the company, explained the intricacies of the plan, and outlined an upcoming meeting between Twitter leaders and the WFA Executive Committee (GARM's governing body) on December 1, 2022.[123] GARM's first step of its three-part plan involved surveying advertisers to gauge their attitude about the recent acquisition of Twitter.[124] As discussed in the Committee's initial report, GARM later presented these survey results to Twitter.[125] Step two of GARM's plan involved monitoring content that was posted on Twitter—or what GARM called "social listening."[126] Step three involved GARM distributing documents to its membership, which tracked how closely each social media platform adhered to GARM's brand safety requirements.[127] Known as the Platform Adoption Grids or Implementation Grids, these documents served as a means for GARM to communicate Twitter's lack of compliance with its standards to its members.[128] These Adoption Grids were posted to a private section of the WFA website easily accessible to GARM's members but unavailable to the general public.[129]

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[116] *See* July 2024 GARM Report, *supra* note 3, at 29.
[117] Rachel Lerman, *Elon Musk says he has backup plan to buy Twitter in TED interview,* THE WASHINGTON POST (April 14, 2022) ("'Well I think it's very important for there to be an inclusive arena for free speech,' Musk said, echoing statements he has made over the past couple weeks. 'Twitter has become kind of the de facto town square, so it's just really important that people have the, both the reality and the perception that they are able to speak freely within the bounds of the law.'").
[118] *See generally* HJC-WFA-GARM-000114314, at -316.
[119] HJC-WFA-GARM-000113799.
[120] *Id*.
[121] HJC-WFA-GARM-000113922; HJC-WFA-GARM-000111209.
[122] HJC-WFA-GARM-000113922, at -924.
[123] *See generally* HJC-WFA-GARM-000114314.
[124] HJC-WFA-GARM-000114314, at -316.
[125] *See* July 2024 GARM Report, *supra* note 3, at 14.
[126] HJC-WFA-GARM-000114314, at -316.
[127] *Id*.
[128] HJC-WFA-GARM-000113922, at -924.
[129] Delaney Goodwin, *Platform Adoption Grids, December 2023*, WORLD FEDERATION OF ADVERTISERS (Dec. 15, 2023).

The slide deck also explained how GARM intended to confront Twitter executives during their December 1 meeting. Notably, the deck included as a topic of discussion Mr. Musk allegedly "[r]elitigating industry standards" by rededicating the platform to free speech.[130] More specifically, Mr. Rakowitz wrote that Mr. Musk was proposing a "[n]ew narrative on free speech v hate speech" that "needs to be addressed as a slip away from Common Definitions."[131] Mr. Rakowitz elaborated that Twitter "can't have new terms that reinvent trust & safety."[132] As explained in the Committee's initial report, "Common Definitions" is GARM's uniform manner of categorizing online content.[133] In preparing for the Twitter meeting, Mr. Rakowitz wrote that Mr. Musk "can't have new terms" and must continue to adhere to the manner in which GARM defines content—a prescriptive approach that did not value free expression.[134] Documents such as these suggest a desire among the powerful advertisers of GARM to undermine Twitter's reorientation toward free speech and instead require the platform to be governed according to their own "industry standards."[135] GARM's plan was clear—Twitter was proposing changes that GARM did not approve, and GARM would take action to stop them.

During his transcribed interview with the Committee, Mr. Rakowitz repeatedly stated that GARM's actions were solely intended to provide its members with transparency to aid in their individual decision-making.[136] However, documents obtained by the Committee suggest that GARM played a significantly more active role in pressuring Twitter to comply with its demands than Mr. Rakowitz acknowledged.[137] Documents show that Mr. Rakowitz knew the information distributed to GARM members would spur a boycott of the platform if Twitter did not accede to GARM's demands.[138] GARM tracked Twitter's, and other social media platforms', adoption of GARM's standards through a system known as the Platform Adoption Grids, commonly referred to as the Implementation Grids.[139] These Platform Adoption Grids would provide advertisers with a snapshot showing how closely social media platforms were adhering to GARM's standards at a specific point in time.[140] Documents obtained by the Committee show that this previously confidential information was made available to all GARM members only *after* Mr. Musk acquired Twitter and was a direct response to that acquisition.[141]

Internal GARM documents suggest that these Platform Adoption Grids were intended to be used as a pretext for boycotting Twitter if the platform did not uphold GARM's standards.[142] While discussing these grids with WFA leadership, Mr. Rakowitz wrote that GARM is "going to make the implementation grids . . . go public [to GARM members] ahead of the meeting [with Twitter] . . . This way it's not singling Twitter out, but we know where eyes will be. Any moves

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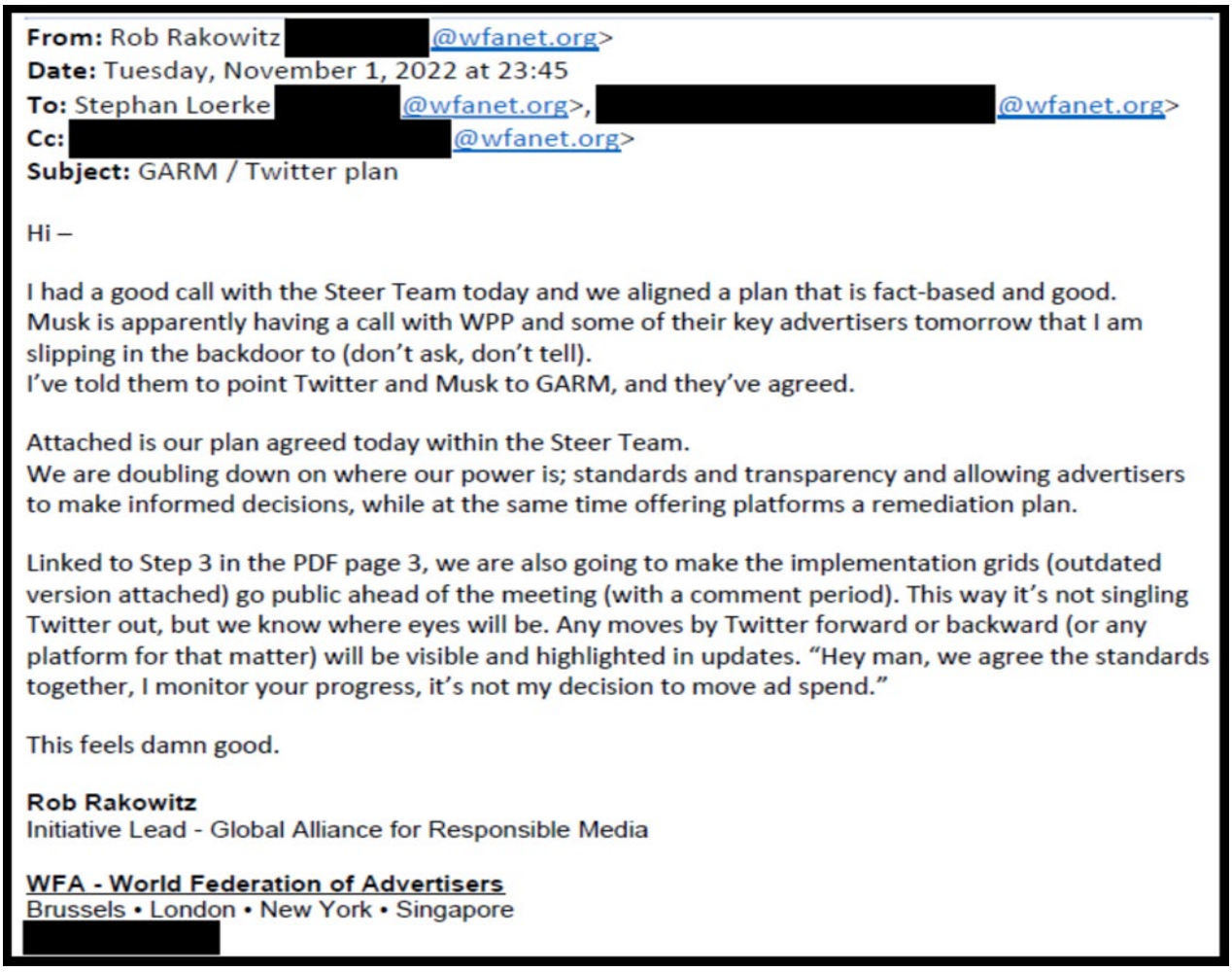
[130] HJC-WFA-GARM-000114314, at -317.
[131] *Id*.
[132] *Id.*
[133] *See* July 2024 GARM Report, *supra* note 3, at 10.
[134] HJC-WFA-GARM-000114314, at -317.
[135] *See, e.g.,* HJC-WFA-GARM-000114314, at -316-317.
[136] *See* July 2024 GARM Report, *supra* note 3, at Appendix 272, lines 11-13.
[137] *See*, *e.g.*, HJC-WFA-GARM-000114314, at -316-317.
[138] HJC-WFA-GARM-000113922, at -924.
[139] HJC-WFA-GARM-000014893.
[140] HJC-WFA-GARM-000014893, at -896.
[141] HJC-WFA-GARM-000113922, at -924.
[142] *Id*.

by Twitter forward or backward . . . will be visible and highlighted in updates."[143] In the slide deck outlining GARM's engagement plan with Twitter, Mr. Rakowitz explicitly wrote that GARM planned to "make public existing GARM Platform Implementation Grids to monitor Twitter's upholding of key obligations."[144]



From: Rob Rakowitz [redacted]@wfanet.org>
Date: Tuesday, November 1, 2022 at 23:45
To: Stephan Loerke [redacted]@wfanet.org>, [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: GARM / Twitter plan

Hi –

I had a good call with the Steer Team today and we aligned a plan that is fact-based and good.
Musk is apparently having a call with WPP and some of their key advertisers tomorrow that I am slipping in the backdoor to (don't ask, don't tell).
I've told them to point Twitter and Musk to GARM, and they've agreed.

Attached is our plan agreed today within the Steer Team.
We are doubling down on where our power is; standards and transparency and allowing advertisers to make informed decisions, while at the same time offering platforms a remediation plan.

Linked to Step 3 in the PDF page 3, we are also going to make the implementation grids (outdated version attached) go public ahead of the meeting (with a comment period). This way it's not singling Twitter out, but we know where eyes will be. Any moves by Twitter forward or backward (or any platform for that matter) will be visible and highlighted in updates. "Hey man, we agree the standards together, I monitor your progress, it's not my decision to move ad spend."

This feels damn good.

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
Brussels • London • New York • Singapore
[redacted]

Email from Mr. Rakowitz outlining GARM's plans to compel Twitter to comply with its demands, as well as his plan to collude with WPP.[145]

Mr. Rakowitz even provided a hypothetical scenario of how advertisers could act if Twitter did not uphold its commitments to GARM.[146] Mr. Rakowitz wrote that advertisers could communicate to Twitter, "Hey man, we agree[d] [to] the standards together, I monitor your progress, it's not my decision to move [advertising] spend."[147] These documents demonstrate that GARM distributed the previously unavailable Platform Adoption Grids with the knowledge—and perhaps expectation—that GARM members would boycott Twitter if Twitter

[143] *Id.*
[144] HJC-WFA-GARM-000114314, at -316.
[145] HJC-WFA-GARM-000113922, at -923-924.
[146] HJC-WFA-GARM-000113922, at -924.
[147] *Id.*

did not meet GARM's standards. This conduct may violate the Sherman Act, in that the information disseminated to GARM's members appears to be specifically intended to spur a boycott and pressure Twitter into maintaining practices favorable to GARM.

GARM colluded with some of its most powerful members to generate a pressure campaign on Twitter. Shortly after the Twitter acquisition and in an effort to alleviate the concerns of the advertising industry, Twitter executives met with brands and agencies to discuss the company's new vision for the platform. One such meeting occurred between Twitter and WPP, the world's largest advertising and public relations agency by revenue.[148] Colloquially, the six largest advertising and public relations agencies by revenue are known as the Big Six, and WPP is the largest agency of the six.[149] WPP also owns the U.S.-based advertising investment firm, GroupM—formerly a GARM Steer Team representative and founding member of the group.[150] Notable WPP clients include Adidas, Coca-Cola, Dell, Mars, Procter & Gamble, Shell, Sony, and Nestlé—all of whom were formerly members of GARM.[151]

In advance of the meeting between WPP and Twitter, Mr. Rakowitz worked closely with WPP to ensure Mr. Musk received the message that his platform must comply with GARM's demands. Mr. Rakowitz directed WPP to urge Twitter to comply with GARM's standards, instructing WPP to "point Twitter and Musk to GARM, and [WPP] agreed."[152] In documents obtained by the Committee, Mr. Rakowitz claimed that he would be "slipping in the backdoor" of the meeting between WPP and Twitter.[153] Mr. Rakowitz even acknowledged his presence was inappropriate—because he is not a client nor affiliated with WPP—and he advised other Steer Team members, "don't ask, don't tell" regarding his presence at the meeting.[154]

C. GARM drafted statements instructing members not to advertise on Twitter.

Documents produced to the Committee also show that GARM drafted statements and guidance to members that amount to a call for a boycott of Twitter. Less than two weeks after Mr. Musk officially acquired Twitter, Mr. Rakowitz wrote to WFA CEO Stephan Loerke, stating, "I've crafted a message that needs to be posted ASAP and distributed. I have navigated the situation as best as we can in terms of our anticompetitive statues [sic] and have gone as close as possible as we can to saying '[Twitter] is unsafe, cease and desist.'"[155]

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[148] *Agency Holding Companies: A Visual Mapping,* ESKIMI (May 15, 2024).
[149] *Id*.
[150] *Our Brands*, WPP, https://www.wpp.com/en/about/our-brands (last visited June 16, 2025).
[151] *WPP Network*, WINMO, https://www.winmo.com/the-list-of-agencies-in-the-wpp-network/ (last visited June 16, 2025).
[152] HJC-WFA-GARM-000113922, at -924.
[153] HJC-WFA-GARM-000113922, at -923.
[154] *Id.*
[155] HJC-WFA-GARM-000114771.

Message

From: Rob Rakowitz [redacted]

Sent: 11/11/2022 4:58:43 AM

To: Stephan Loerke [redacted]@wfanet.org]

CC: [redacted]@wfanet.org]; [redacted]@raymedia.biz]; [redacted]@wfanet.org]; [redacted]@wfanet.org]

Subject: Statement on Twitter

Attachments: Statement on Twitter Changes.docx

Importance: High

Hi Stephan –

I am sorry to wake you into a crisis.
The bird has gone from freed to fried.

Twitter has seen a raft of resignations this afternoon at the close of business NYC: CISO, Privacy, Security, Site Integrity, Revenue – all resigned. Elon has mentioned bankruptcy as a potential.

Be that as it may, the platform poses real risks; someone has spoofed Eli Lilly and has indicated that insulin will be free. Imagine how this impacts consumers or stock price!

I've crafted a message that needs to be posted ASAP and distributed. I have navigated the situation as best as we can in terms of our anticompetitive statues and have gone as close as possible as we can to saying "it is unsafe, cease and desist."

Please advise if you are in agreement with the need to issue a statement, and if you are OK with the approach. It is the start of business EU right now, and I am happy to work with the Brussels team to see this go live at the earliest possible time.

Thanks,

Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
Brussels • London • New York • Singapore
[redacted]

Email from Mr. Rakowitz claiming that he has drafted a message to GARM members, in which he has 'gone as close as possible' to instructing them not to advertise on Twitter.[156]

Although it is unclear whether this statement was ever transmitted or communicated to GARM members, it underscores GARM's internal desire to use the collective power of its membership to facilitate the boycott of Twitter in potential violation of U.S. antitrust law. The cease-and-desist instruction, combined with the dissemination of previously unavailable information to GARM members, strongly suggests a desire by GARM to spur a boycott of advertising on Twitter.

[156] *Id*.

D. Mr. Rakowitz referred to GARM's interactions with Twitter as a 'coup.'

Following the December 1, 2022, meeting between the WFA Executive Committee and Twitter, GARM allegedly worked with Twitter to create an "Acceleration Agenda."[157] During his transcribed interview with the Committee, Mr. Rakowitz testified that an Acceleration Agenda was "a term that [GARM] used sometimes when platforms have or members have decided to take on voluntary action."[158]

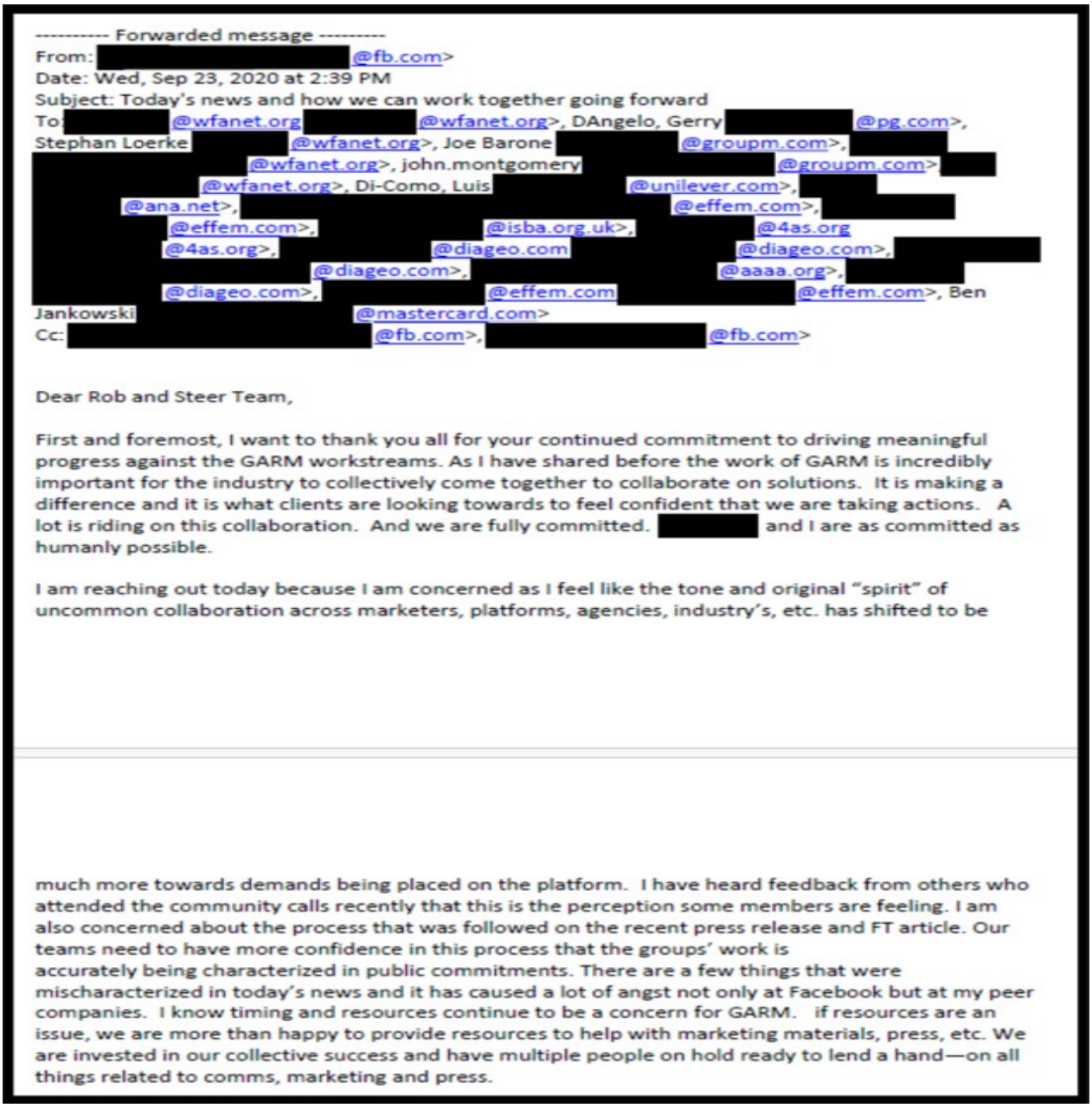
Contrary to Mr. Rakowitz's claim that an Acceleration Agenda is the result of a voluntary decision by a platform, documents obtained by the Committee suggest that Acceleration Agendas are created by GARM to pressure social media platforms and force them to adopt a specific set of GARM-preferred policies.[159] GARM has historically used Acceleration Agendas to force platforms to make changes to their business to further GARM's goals.[160] For example, in July 2020, the GARM Governors—executives from Procter & Gamble, Mastercard, the Association of National Advertisers, and WFA—collectively sent a letter to top executives at Twitter, Facebook, and Google.[161] The letter stated, "We are accelerating industry efforts to eliminate hateful, denigrating, and discriminatory content as it requires the highest level of priority, investment, and urgency."[162] The Governors went on to say that "this accelerated effort is part of our broader objective to work with you to eliminate all categories of harmful content in the fastest possible timing in order to have a safe, productive, and useful media ecosystem for the people we serve."[163]

Other documents detail how GARM's use of Acceleration Agendas amounted to a drastic escalation of its approach toward social media platforms. In September 2020, a Facebook executive contacted the GARM Steer Team to convey to the group that GARM's approach, known as uncommon collaboration, "has shifted to be much more towards demands being placed on the platform."[164] As discussed in the Committee's initial report, "uncommon collaboration" was GARM's rallying cry, and involved "putting aside competitive concerns in the interest of safety."[165] This Facebook executive noted that the collaborative effort GARM was founded to pursue has simply turned into advertisers demanding that social media platforms adhere to the advertisers' preferred standards.[166] The Facebook executive highlighted reporting from the

---

[157] Press release, GARM, Twitter announces its acceleration agenda with GARM to answer brand safety needs (Dec. 19, 2022).
[158] *See* July 2024 GARM Report, *supra* note 3, at Appendix 283, lines 17-22.
[159] *See generally* HJC-WFA-GARM-000060610.
[160] *See* July 2024 GARM Report, *supra* note 3, at Appendix 95.
[161] HJC-WFA-GARM-000060610; At the time, the GARM Governors included:
Marc Pritchard: Chief Brand Officer, Procter & Gamble; Chairman, ANA Growth Council.
Raja Rajamannar: Chief Marketing and Communications Officer, Mastercard; President, WFA.
Bob Liodice: Chief Executive Officer, Association of National Advertisers (ANA).
Stephan Loerke: Chief Executive Officer, WFA.
[162] HJC-WFA-GARM-000060610, at -611.
[163] *Id*.
[164] HJC-WFA-GARM-000022453, at -454.
[165] *See* July 2024 GARM Report, *supra* note 3, at 10.
[166] HJC-WFA-GARM-000022453, at -454.

Financial Times stating that GARM's Acceleration Agenda had led to "concessions" from social media platforms on types of content "that should be removed from the platform when found."[167]



---------- Forwarded message ---------
From: [redacted]@fb.com>
Date: Wed, Sep 23, 2020 at 2:39 PM
Subject: Today's news and how we can work together going forward
To: [redacted]@wfanet.org [redacted]@wfanet.org>, DAngelo, Gerry [redacted]@pg.com>, Stephan Loerke [redacted]@wfanet.org>, Joe Barone [redacted]@groupm.com>, [redacted]@wfanet.org>, john.montgomery [redacted]@groupm.com> [redacted]@wfanet.org>, Di-Como, Luis [redacted]@unilever.com>, [redacted]@ana.net>, [redacted]@effem.com>, [redacted]@effem.com>, [redacted]@isba.org.uk>, [redacted]@4as.org @4as.org>, [redacted]@diageo.com [redacted]@diageo.com>, [redacted]@diageo.com>, [redacted]@aaaa.org>, [redacted]@diageo.com>, [redacted]@effem.com [redacted]@effem.com>, Ben Jankowski [redacted]@mastercard.com>
Cc: [redacted]@fb.com>, [redacted]@fb.com>

Dear Rob and Steer Team,

First and foremost, I want to thank you all for your continued commitment to driving meaningful progress against the GARM workstreams. As I have shared before the work of GARM is incredibly important for the industry to collectively come together to collaborate on solutions. It is making a difference and it is what clients are looking towards to feel confident that we are taking actions. A lot is riding on this collaboration. And we are fully committed. [redacted] and I are as committed as humanly possible.

I am reaching out today because I am concerned as I feel like the tone and original "spirit" of uncommon collaboration across marketers, platforms, agencies, industry's, etc. has shifted to be much more towards demands being placed on the platform. I have heard feedback from others who attended the community calls recently that this is the perception some members are feeling. I am also concerned about the process that was followed on the recent press release and FT article. Our teams need to have more confidence in this process that the groups' work is accurately being characterized in public commitments. There are a few things that were mischaracterized in today's news and it has caused a lot of angst not only at Facebook but at my peer companies. I know timing and resources continue to be a concern for GARM. if resources are an issue, we are more than happy to provide resources to help with marketing materials, press, etc. We are invested in our collective success and have multiple people on hold ready to lend a hand—on all things related to comms, marketing and press.

Email from a Facebook Vice President stating that GARM has lost its collaborative nature and now seeks only to make demands of social media platforms.[168]

The exchange between GARM and Facebook provides additional context for how GARM frequently used coercive and concerted tactics, like Acceleration Agendas, to extract

[167] Alex Barker & Hannah Murphy, *Advertisers strike deal with Facebook and YouTube on harmful content*, FINANCIAL TIMES (Sep. 30, 2020).
[168] HJC-WFA-GARM-000022453, at -454.

concessions from social media platforms, such as forcing platforms to closely adhere to GARM's preferred standards or open the platform up to third-party brand safety audits.[169] This point is made clear in an email that Mr. Rakowitz drafted for WFA President, Raja Rajamannar, to send to Marc Pritchard, Chief Brand Officer of Procter & Gamble and a GARM Governor. In that draft email, Mr. Rakowitz explicitly stated the goal of the July 2020 Acceleration Agenda was to put "full pressure on the platforms to follow-thru [sic] on all GARM priorities."[170] This statement illustrates the way in which GARM wielded the immense collective power of its members to force platforms to submit to its demands—acting on behalf of advertisers who control 90 percent of advertising spending and almost 1 trillion dollars annually.[171]

Following their meeting on December 1, 2022, GARM and Twitter announced that Twitter would be working with GARM on a similar Acceleration Agenda.[172] Twitter's Acceleration Agenda was virtually identical to those imposed upon social media platforms in 2020. Among other things, the 2022 Twitter Acceleration Agenda required the platform to demonstrate its commitment to GARM's safety standards and to undergo audits to prove that Twitter was complying with GARM's demands.[173] In an email exchange with other Steer Team members, Mr. Rakowitz candidly wrote that Twitter's agreement to an Acceleration Agenda would "be a real coup if they pull it off."[174] Mr. Rakowitz's statement shows the real purpose of GARM and its Steer Team—to exert complete control over social media platforms through the use of its members' collective power and influence.

III. GARM KNEW ITS ACTIONS RAN CONTRARY TO CONSUMER PREFERENCES.

Although GARM claimed that it was trying to protect consumers from amorphous online harm,[175] documents produced to the Committee show that GARM internally circulated and acknowledged data that its actions were overwhelmingly unpopular among American consumers.[176] On June 24, 2020, GARM circulated polling data among its Steer Team suggesting that at the same time GARM was attempting to remove and demonetize online content, 66 percent of American consumers preferred freedom of speech and expression over supposed protection from harmful content.[177] In an email exchange with other Steer Team members, Mr. Rakowitz asked the Steer Team to be mindful of the "recent work from Gallup from March showing that 2/3 of US consumers value freedom of speech/expression over risks of exposure to harmful content."[178] In fact, GARM discussed these data points just six days before

[169] *See e.g.,* July 2024 GARM Report, *supra* note 3, at Appendix 95.
[170] HJC-WFA-GARM-000015811.
[171] World Federation of Advertisers, *supra* note 4.
[172] GARM, *supra* note 157.
[173] HJC-WFA-GARM-000005577.
[174] HJC-WFA-GARM-000051196.
[175] *See* July 2024 GARM Report, *supra* note 3, at Appendix 10 ("The Global Alliance for Responsible Media (GARM) exists to create a more sustainable and responsible digital environment that protects consumers, the media industry, and society as a result.").
[176] HJC-WFA-GARM-000123316, at -317.
[177] *Id*.
[178] *Id.*

the GARM Governors sent their letter in July 2020 to top executives at major social media companies calling for the accelerated removal of so-called harmful content.[179]

From: Robert Rakowitz [redacted]@wfanet.org>
Date: Wednesday, June 24, 2020 at 06:47
To: "DAngelo, Gerry" [redacted]@pg.com>, "Di-Como, Luis" [redacted]@unilever.com>, [redacted]@effem.com>, [redacted]@effem.com>, [redacted]@diageo.com" [redacted]@diageo.com>, [redacted]@diageo.com>, John Montgomery [redacted]@groupm.com>, Joe Barone [redacted]@groupm.com>, [redacted]@4as.org>, [redacted]@ana.net>, [redacted]@isba.org.uk>, [redacted]@wfanet.org>, Stephan Loerke [redacted]@wfanet.org>, [redacted]@publicis.com>, [redacted]@umww.com>, [redacted]@dentsuaegis.com>, [redacted]@aaaa.org" [redacted]@aaaa.org>
Subject: Internal GARM Steer Team + APB session today

Hi all –

I wanted to get across why I am pulling us together later this AM – I think it's essential for us to have a clear set of requests of Facebook from the advertising and media community, hence the calendar block.

Personally, I feel it's critical that we're aligned in requests and prioritization and fallback positions in light of the following:

1. Size of Madison Avenue v Main Street: We're c. 20% of Facebook revenues, with small and medium advertisers/agencies making up the volume

2. US Consumer attitudes: There's recent work from Gallup from March showing that 2/3 of US consumers value freedom of speech/expression over risks of exposure to harmful content. 44% have been in direct contact with harmful content, and still the majority of consumers prefer the status quo of s 230 of the CDA

Email from Mr. Rakowitz to the GARM Steer Team acknowledging the overwhelming unpopularity of GARM's actions.[180]

As GARM's internal documents show, GARM was fully aware that American consumers did not approve of GARM's efforts to scrub so-called harmful content from the internet—but GARM used its collective power to achieve this goal regardless. The documents suggest that GARM chose to pursue collusive conduct with its membership at the expense of consumer welfare. Recent actions by social media platforms, motivated by consumer sentiment, reinforce the unpopularity of GARM's collusive censorship regime. In January 2025, Meta ended its so-called fact-checking program, writing that such regimes were frustrating users and "too often

[179] *Compare* HJC-WFA-GARM-000123316, at -317 *with* HJC-WFA-GARM-000060610.
[180] HJC-WFA-GARM-000123316, at -316-317.

getting in the way of free expression we set out to enable."[181] In other words, the fact-checking regimes upheld by GARM were degrading the user experience and quality of the platform and, by extension, reducing consumer welfare.

According to GARM's own documents, GARM's mission of removing purportedly harmful content from digital media is opposed by two-thirds of American consumers.[182] In spite of this information, GARM continued its deeply unpopular action—seeking to demonetize, remove, and deny consumers certain content and platforms dedicated to free expression.[183] Despite acknowledging the unpopularity of its collusive behavior, GARM chose to further its own interests and the biased worldviews of its powerful members—potentially in violation of U.S. antitrust law, and certainly in defiance of the preferences of American consumers.[184] In the absence of GARM's collusion, the preferences and desires of consumers have led social media platforms to enhance protections for speech—not increased censorship, as GARM demanded.

CONCLUSION

As demonstrated by the Committee's reports, GARM consistently attempted to hide the collusive, censorship-focused goals of its members and Steer Team behind the worthy-sounding goals of reducing "harmful" content online. This deception allowed GARM to claim that its actions *benefited* consumers when in reality, GARM's actions benefited the cartel *at the expense* of consumers.

The Committee's initial report, issued in July 2024, demonstrated that GARM and WFA have tremendous market power and the influence necessary to shape public discourse according to their preferred worldview.[185] Unfortunately for American consumers, the preferred brand safety regime that GARM advanced is directly contrary to American consumers' actual preferences. GARM's leadership acknowledged this point when they discussed polling that showed two-thirds of Americans preferred protecting free speech over reducing harmful content online.[186] Even knowing this, GARM chose to continue its attempt at forcing platforms to engage in censorship anyway. Rather than working to serve the interest of consumers, GARM and its corporate members colluded to push a deeply unpopular agenda opposed by those very consumers.

Collusion is regarded as "the supreme evil of antitrust" as it restricts the free flow of commerce and harms consumers.[187] Behind the empty language of GARM's charter claiming that the group is dedicated to "protect[ing] consumers[,]"[188] GARM worked to serve its own goals at the expense of consumers. GARM has made the arrogant assumption that advertisers somehow know what is best for consumers, issuing demands to social media companies to

[181] Joel Kaplan, *More Speech and Fewer Mistakes*, META (Jan. 7, 2025).
[182] HJC-WFA-GARM-000123316, at -317.
[183] *See generally* HJC-WFA-GARM-000060610.
[184] The Supreme Court has made clear that social justifications do not insulate otherwise illegal conduct from antitrust liability. *see FTC v. Superior Ct. Trial Laws. Ass'n,* 493 U.S. 411, 424 (1990).
[185] *See* July 2024 GARM Report, *supra* note 3, at Section I.A.
[186] HJC-WFA-GARM-000123316, at -317.
[187] *Verizon Commnc'ns Inc. v L. Offs. Of Curtis V. Trinko, LLP,* 540 U.S. 398, 408 (2004).
[188] *See* July 2024 GARM Report, *supra* note 3, at Appendix 10.

censor content unilaterally deemed to be "harmful." Documents produced to the Committee, and detailed in this report, showcase the extent to which GARM went to impose its censorial standards on American social media platforms. GARM worked closely with foreign regulators in reaction to Twitter's reorientation toward free speech. GARM shared nonpublic information with its members, knowing the information could lead to a group boycott of Twitter. GARM not only colluded to attack businesses that disagree with GARM's worldview, but the very principles underlying the freedom of expression, the marketplace of ideas, and fundamental American liberties—all to the detriment of the people they claim to serve.

While GARM has disbanded and other similar initiatives have failed to launch, the threat of collusive conduct in opposition to free expression remains. For several years, the Committee on the Judiciary has conducted extensive factfinding around the threat to free speech from government, Big Tech, foreign regulators, and others. This oversight has informed legislation to reinvigorate First Amendment rights and dismantle the censorship regime. The work is not done, and the Committee will continue to remain vigilant in defense of the Constitution and the fundamental principles it protects.

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Exhibit 1
HJC-WFA-GARM-000005577 Twitter's Acceleration Agenda with GARM

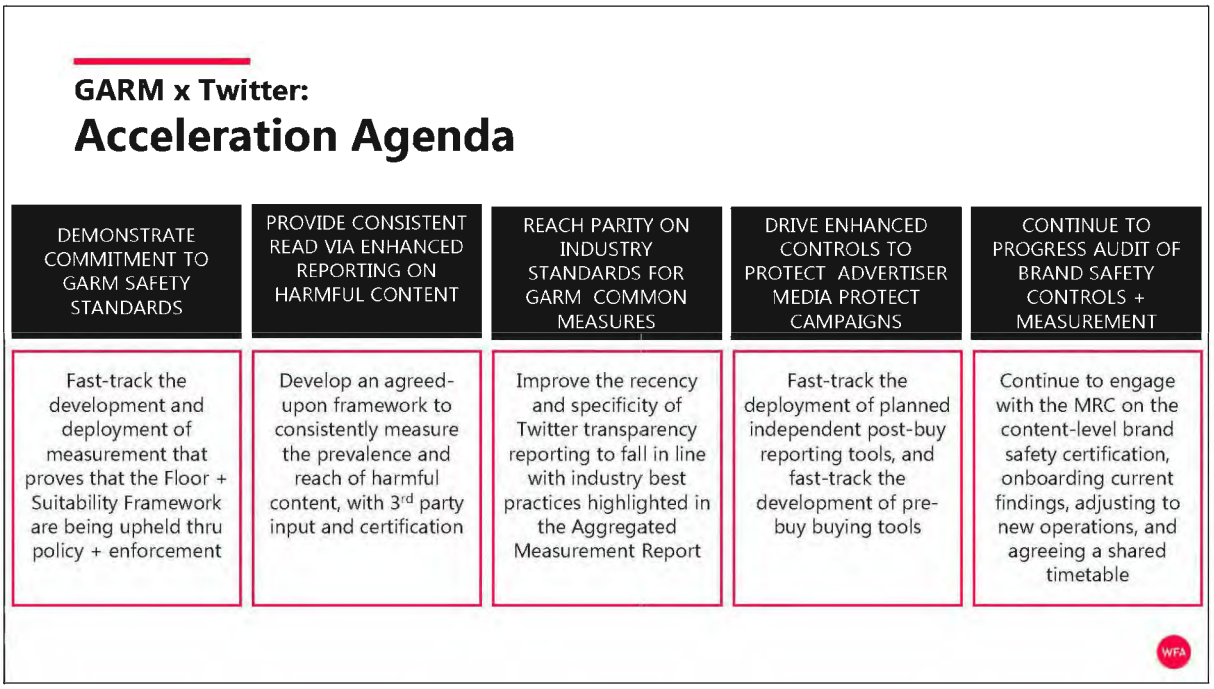
GARM x Twitter:
Acceleration Agenda
DEMONSTRATE COMMITMENT TO GARM SAFETY STANDARDS
PROVIDE CONSISTENT READ VIA ENHANCED REPORTING ON HARMFUL CONTENT
REACH PARITY ON INDUSTRY STANDARDS FOR GARM COMMON MEASURES
DRIVE ENHANCED CONTROLS TO PROTECT ADVERTISER MEDIA PROTECT CAMPAIGNS
CONTINUE TO PROGRESS AUDIT OF BRAND SAFETY CONTROLS + MEASUREMENT
Fast-track the development and deployment of measurement that proves that the Floor + Suitability Framework are being upheld thru policy + enforcement
Develop an agreed-upon framework to consistently measure the prevalence and reach of harmful content, with 3rd party input and certification
Improve the recency and specificity of Twitter transparency reporting to fall in line with industry best practices highlighted in the Aggregated Measurement Report
Fast-track the deployment of planned independent post-buy reporting tools, and fast-track the development of pre-buy buying tools
Continue to engage with the MRC on the content-level brand safety certification, onboarding current findings, adjusting to new operations, and agreeing a shared timetable
WFA

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Exhibit 2
HJC-WFA-GARM-000014893
Slideshow Explaining the Platform Adoption Grids

Global Alliance for Responsible Media

Adoption Grids

Adoption Grids: What is it, Why are we doing it

CONTEXT: What is this tool?

In the last three years, GARM has been driving a series of standards and solutions that run across its key workstreams of Common Definition, Common Measures, Common Tools, and Independent Audit + Verification. As we develop and then deploy the work within the industry, there is logically the question of how each of the members implement standards.

Implementation of GARM standards is a question for all types of organizations within GARM – whether an advertiser, an agency, a platform, or an adtech company.

Our first view on implementation is for ad sellers, with a focus on platforms.

Our look at implementation charts the following:

COMMON DEFINITIONS
Organizational endorsement
Link to moderation + monetization policies
Integration into buying tools
COMMON MEASURES
Organizational participation in the GARM Aggregated Measurement Report
Metrics provided to GARM adhering to best practices (out of a total of 8)
COMMON TOOLS
Implementation of GARM minimum adjacency standard in relevant formats
INDEPENDENT VERIFICATION + OVERSIGHT
MRC accreditation
TAG certification
Third-party audit of transparency reporting

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Adoption Grids: Where and what

Key materials

Platform Adoption Grids

The goal of these documents is to create a standardized way for members to understand how each platform is adopting GARM standards...

GUIDES & TEMPLATES

WFA World Federation of Advertisers

Knowledge Connections Leadership Tools

› Leadership › GARM › Platform Adoption Grids

Platform Adoption Grids

THIS ARTICLE CONTAINS DOWNLOADS 9

1 minute read

The goal of these documents is to create a standardized way for members to understand how each platform is adopting GARM standards from key GARM workstreams.

In the last three years, GARM has been driving a series of standards and solutions that run across its key workstreams of Common Definition, Common Measures, Common Tools, and Independent Audit + Verification. As we develop and then deploy the work within the industry, there is logically the question of how each of the members implement standards.

Implementation of GARM standards is a question for all types of organizations within GARM – whether an advertiser, an agency, a platform, or an solutions developer company.

Our first view on implementation is for ad sellers, with a focus on platforms.

GARM Brand Safety Standards Adoption Overview:
Nov 2022

COMMON DEFINITIONS:
Setting an industry standard for monetization limits on harmful and sensitive content via the GARM Brand Safety Floor + Suitability Framework

QUESTION	CRITICAL STEP	STATUS
Has the platform endorsed the GARM Brand Safety Floor + Framework?	Executive Endorsement	
Has the platform linked content moderation and/or monetization policies to GARM standards?	Mapping Exercise	
To what extent has the platform embedded GARM standards into first-party buying tools?	Coverage in all ad inventory	
	Inclusion in or linked to first-party tools	
	Availability of third-party integrations	

COMMON MEASURES:
Setting a single access point for advertising stakeholders to get essential media safety data via the GARM Aggregated Measurement Report

KEY QUESTION	AUTHORIZED METRIC	METRIC SUBMITTED
Does the platform participate in the Aggregated Measurement Report	N/A	
How safe is the platform for consumers?	Prevalence Violative View Rate	
How safe is the platform for advertisers?	Advertiser Safety Error Rate or Prevalence	
How effective is the platform at enforcing its safety policies?	Removals of violating content	
	Removal of violating accounts by views	
	Removal of violating accounts	
How responsive is the platform in correcting mistakes?	Appeals (pieces of content)	
	Reinstatements (pieces of content)	

COMMON TOOLS:
Establishing industry-wide minimum ad placement for specific ad formats via the GARM Adjacency Standards + Controls Framework

QUESTION	MINIMUM ADJACENCY STANDARD	STATUS
Has the platform enforced the minimum standard for Feed?	+/- 1	
Has the platform enforced the minimum standard for Stories?	+/- 1	
Has the platform enforced the minimum standard for In-feed Video?	+/- 0 directly adjacent	
Has the platform enforced the minimum standard for In-feed Audio?	+/1 -n same as ad unit length (n (n = ad length)	

INDEPENDENT VERIFICATION + OVERSIGHT:
Driving forward best-in-class audits for brand safety process and controls

QUESTION	AUDIT STANDARD	STATUS
Which audit standards has the platform secured?	MRC Content-level Brand Safety Controls Audit	
	TAG Brand Safety Certified	
	Independent audit of transparency reporting	

GARM Global Alliance for Responsible Media

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Platform Adoption Grids: Dec 2022

QUICK USE GUIDE:

The GARM Steer Team has worked with each of the parties in the adoption grids to capture their work. This involved GARM analyzing member work, developing an overview of adoption, and pursuing a comment period with members to ensure that the data and assessment is accurate.

Updates to the adoption grids will be presented on a semiannual basis with May and December as the months.

Members in GARM will be using this around a few areas:

1. Identifying industry and GARM member improvements over time
2. Prioritizing development and improvement areas
3. Supporting key decisions relative to brand safety investment and activation in media campaigns

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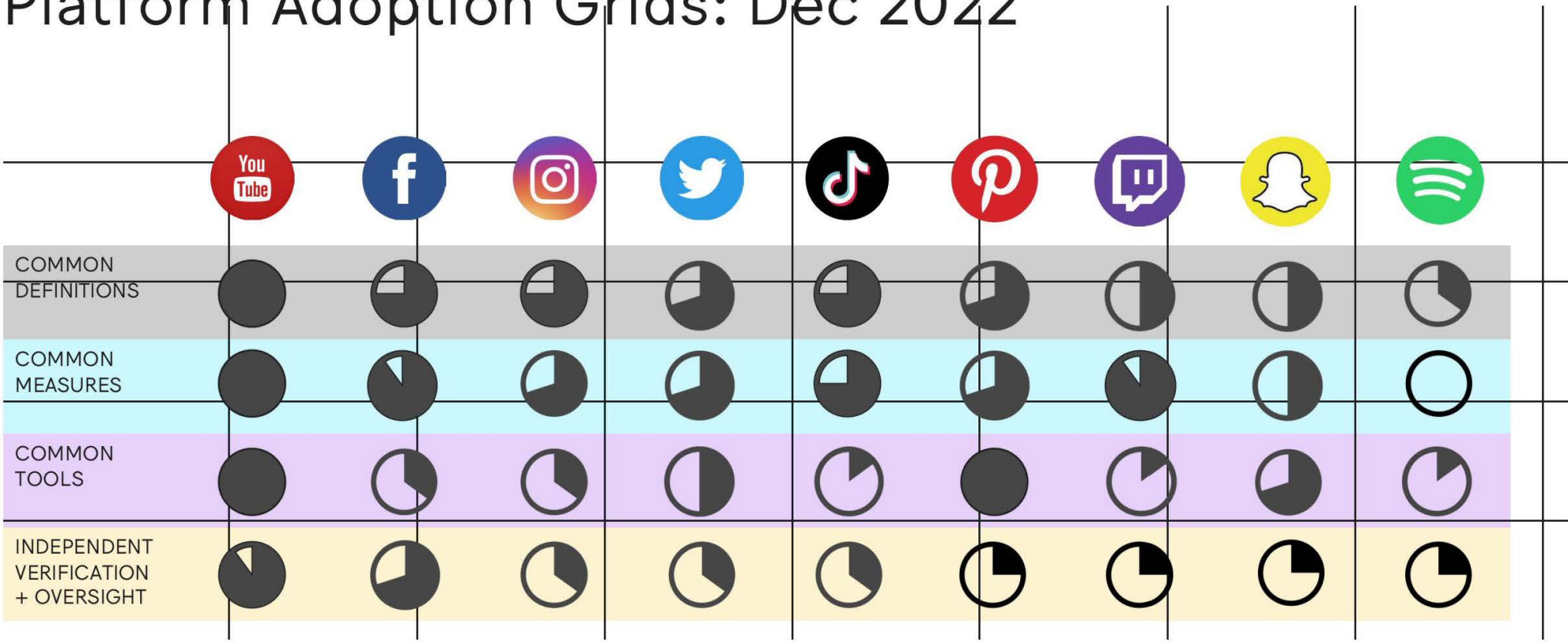
Platform Adoption Grids: Dec 2022



Adoption Needed

Adoption Completed

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Exhibit 3
HJC-WFA-GARM-000015811
GARM Email Stating the Goal of the July 2020 Acceleration Agenda was to Pressure Social Media Platforms

Message

From: Rob Rakowitz [redacted]
[redacted]
Sent: 03/07/2020 11:38:11 AM
To: Stephan Loerke [redacted]@wfanet.org]
Subject: Raja note to Marc

Feel free to edit as you see fit...

Dear Marc,

In advance of our call with each of the platforms, we should align on key messages that we want to land with the platforms. The outcome we want is full pressure on the platforms to follow-thru on all GARM priorities, and avoid confusion or divisions that would allow any of the platforms to do a multiple choice on what we are asking for as significant customers of these companies. In review of Mark Zuckerberg's internal town hall, it's very clear that the platforms are retrenching – so we need to be clear throated in our requirements.

As such, here's what we need to agree:

1. The GARM Charter covers 9 priorities that if addressed properly should resolve the systemic challenges around harmful content and bad actors – we need the platforms to reaffirm that this is the long-term roadmap and that they will continue to engage with us all to address them over time and with help from you and me (governors of GARM), and the GARM Steer Team to drive the right sequencing and prioritization

2. The GARM work set to be delivered this month (Quick Wins) *still* needs to be committed to and our shared letter needs to reinforce that in that:
    a. We must go from agreement to implementation on the Safety Floor and Suitability Framework
    b. We must accelerate independent oversight
    c. We must use Hate Speech as a proof of concept in harmonized measurement and reporting (per the 5 points in our letter)

3. Facebook should not be able to use this opportunity to pick and choose their work, as the GARM Steer Team has identified serious shortcomings that need to be addressed as Fast Fixes:
    a. Clarifying policy on Hate Speech
    b. Consistency in enforcement across content types
    c. Submitting to independent and frequent measurement
    d. Delivering controls for advertisers for adjacency

In essence we need to position these demands and requests as a series of complimentary puzzle pieces based on time-scale (with the last one being purely reactive and the first one being proactive).

I worry that if we are not clear in the positioning of these that we will fail to deliver what the industry *and* society need CMOs to deliver today. Additionally, wavering on this will undermine GARM and its Steer Team in its impact and its current cohesive ways of working that have set a new standard for cross-industry collaboration.

I hope that we are able to discuss this prior to the call, and it's essential that the two of us show up united as the governors who endorsed the creation of the GARM which is now more than ever essential.

Best,

Raja

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Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

World Federation of Advertisers
London • Brussels • Singapore
[redacted]

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Exhibit 4
HJC-WFA-GARM-000022453
Facebook Executive Email to GARM Steer Team

Message

From: Rob Rakowitz [redacted]
Sent: 23/09/2020 8:44:41 PM
To: [redacted]@4as.org
Subject: Re: Today's news and how we can work together going forward
Attachments: GARM_milestones_FINAL 23.09.2020[1].docx; Advertisers strike deal with Facebook and YouTube on harmful content _ Financial Times[4].pdf

Yeah – it's not been a good day for me.
I am getting it from all sides.

There's a few things on this

- Tone
- Run on sentence that strings together everything

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

World Federation of Advertisers
London • Brussels • Singapore
[redacted]

From: [redacted]@4as.org>
Reply-To: [redacted]@4as.org" [redacted]@4as.org>
Date: Wednesday, September 23, 2020 at 16:40
To: Robert Rakowitz [redacted]@wfanet.org>
Subject: Fwd: Today's news and how we can work together going forward

Hi Rob,

Well this is interesting! Please send around the FT article (I don't subscribe) and the final press release. I find it extremely brazen to suggest that FB should provide marcomms resources to ensure the content is what [redacted] (and others) believe it should be and that they should control the narrative. She's implying that there was no marcomms support or anyone paying attention. [redacted] does not provide any details regarding what was misleading - so it's challenging to understand her concerns.

Apologies for missing the measurement call today. Thought I could join for the first 30 minutes but was preparing for my board meeting this afternoon.

Best,
[redacted]

[redacted]
4A's,
[redacted]@4As.org / www.4As.org

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Diversity is an action. Join the 4A's at the Inaugural Equity & Inclusion Congress to create a better industry for all. Register for this free event here.

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---------- Forwarded message ---------
From [redacted]@fb.com>
Date: Wed, Sep 23, 2020 at 2:39 PM
Subject: Today's news and how we can work together going forward
To [redacted]@wfanet.org [redacted]@wfanet.org>, DAngelo, Gerry [redacted]@pg.com>, Stephan Loerke [redacted]@wfanet.org>, Joe Barone [redacted]@groupm.com>, [redacted]@wfanet.org>, john.montgomery [redacted]@groupm.com>, [redacted]@wfanet.org>, Di-Como, Luis [redacted]@unilever.com>, [redacted]@ana.net>, [redacted]@effem.com>, [redacted]@effem.com>, [redacted]@isba.org.uk> [redacted]@4as.org [redacted]@4as.org>, [redacted]@diageo.com [redacted]@diageo.com>, [redacted]@diageo.com> [redacted]@aaaa.org>, [redacted]@diageo.com>, [redacted]@effem.com [redacted]@effem.com>, Ben Jankowski [redacted]@mastercard.com>
Cc: [redacted]@fb.com>, [redacted]@fb.com>

Dear Rob and Steer Team,

First and foremost, I want to thank you all for your continued commitment to driving meaningful progress against the GARM workstreams. As I have shared before the work of GARM is incredibly important for the industry to collectively come together to collaborate on solutions. It is making a difference and it is what clients are looking towards to feel confident that we are taking actions. A lot is riding on this collaboration. And we are fully committed. [redacted] and I are as committed as humanly possible.

I am reaching out today because I am concerned as I feel like the tone and original "spirit" of uncommon collaboration across marketers, platforms, agencies, industry's, etc. has shifted to be much more towards demands being placed on the platform. I have heard feedback from others who attended the community calls recently that this is the perception some members are feeling. I am also concerned about the process that was followed on the recent press release and FT article. Our teams need to have more confidence in this process that the groups' work is accurately being characterized in public commitments. There are a few things that were mischaracterized in today's news and it has caused a lot of angst not only at Facebook but at my peer companies. I know timing and resources continue to be a concern for GARM. if resources are an issue, we are more than happy to provide resources to help with marketing materials, press, etc. We are invested in our collective success and have multiple people on hold ready to lend a hand—on all things related to comms, marketing and press.

I would like to recommend that all of the platforms, their execs and the steer team jump on a call to discuss how we will address the way in which we work together so we can avoid what happened today (again—a lot of it is good but we can lose traction quickly when things are not characterized correctly).

Please let me know what works, as I think this is important to do before the next community call on October 1.

All my best,

[redacted]

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Exhibit 5
HJC-WFA-GARM-000051196
GARM Describes Twitter Acceleration Agenda as a ‘Coup’

Message

From: [redacted]@isba.org.uk]
Sent: 07/12/2022 9:38:38 AM
To: Rob Rakowitz [redacted]@wfanet.org]; [redacted]@effem.com]; Joe Barone [redacted]@groupm.com] [redacted]@ana.net] [redacted]@diageo.com]; Di-Como, Luis [redacted]@unilever.com]; DAngelo, Gerry [redacted]@pg.com]; [redacted]@4as.org]; [redacted]@4as.org]; [redacted]@mastercard.com]
CC: [redacted]@wfanet.org]
Subject: Re: GARM x Twitter: Acceleration Agenda

Great slide! As you say, if implemented, this will be massive progress

[redacted]

Sent from Outlook for iOS

From: Rob Rakowitz [redacted]@wfanet.org>
Sent: Wednesday, December 7, 2022 9:10:26 AM
To: [redacted]@isba.org.uk>; [redacted]@effem.com>; Joe Barone [redacted]@groupm.com>; [redacted]@ana.net>; [redacted]@diageo.com>; Di-Como, Luis [redacted]@unilever.com>; DAngelo, Gerry [redacted]@pg.com>; [redacted]@4as.org>; [redacted]@4as.org>; [redacted]@mastercard.com>
Cc: [redacted]@wfanet.org>
Subject: FW: GARM x Twitter: Acceleration Agenda

Guys –

FYI...really good chat with [redacted] He's agreed to AOB, and we agreed a slide.
He's really running very fast over there with the Acceleration Agenda – with ASER, Prevalence + Reach, Tools to be delivered BY February.
This will be a real coup if they pull it off.
Transparently we did discuss underlying fears as two members of targeted groups and what the grand plan is around moderation – much to watch there.

Thanks

Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
Brussels • London • New York • Singapore
[redacted]

WFA values and encourages flexible working patterns, with teams working across multiple time zones. Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside your hours of work.

From: Rob Rakowitz [redacted]@wfanet.org>
Date: Wednesday, December 7, 2022 at 04:06

To: [redacted]@twitter.com>
Subject: GARM x Twitter: Acceleration Agenda

Hey [redacted] –

It was great seeing you and spending time together earlier.

The plan discussed is great. I've attached a slide we can share with the Community during AOB on Thursday. We will keep you off the agenda.
By all means – folks will be looking for dates – so where you feel certain, provide ranges.

In terms of next steps:

1. ASER – this is great to hear that this now a priority – and this will go a long way to resolve doubts on upholding the floor – just one thing to flag is whether or not you want to 'steal with pride' methodologies from YT (accredited) or Meta (in progress) to help grease skids on industry alignment

2. Recurring measurement on the prevalence and reach of harmful content: Please let's circle the wagons GARM Steer Team and 4As APB – this will be the quickest route for us to align the industry on a list of harmful terms for key policies and/or GARM content categories. We will also need to make sure that we have a way of capturing the world beyond Anglophones.

3. First-party pre-bid controls: This is great – again – let's use Steer Team + APB as a clearing house for the product team as this gets mapped out

4. MRC: I will be in attendance on Thursday and will weigh in if needed

5. 2023 standings – let's agree 10a NYC / 7a SFO Tues as a standing 30min call – this way folks who are also vested in the plan [redacted] can all participate – and again – you will feedback to me on if this becomes too many cooks in the kitchen

Thanks!

Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
Brussels • London • New York • Singapore
[redacted]

WFA values and encourages flexible working patterns, with teams working across multiple time zones. Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside your hours of work.

Exhibit 6
HJC-WFA-GARM-000060610
GARM Governors' Acceleration Agenda Letter to Facebook, Twitter, and Google

July 1, 2020

[redacted]
Facebook, Inc.
1 Hacker Way
Menlo Park, CA 94025

[redacted]
Twitter, Inc.
1355 Market Street, Suite 900
San Francisco, CA 94103

[redacted] YouTube
Google LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear[redacted], [redacted], and [redacted]:

One year ago, the Global Alliance for Responsible Media (GARM) was formed with the objective of eliminating harmful content from media. The Alliance has the full support of the advertising and media industry, including: 35-plus multinational companies across multiple industries; the WFA, ANA, 4A's, and IAB, industry associations representing more than 3,000 companies worldwide; 6 agency holding companies; 7 global media platforms; and numerous publishers and broadcasters. During the past year, extensive work has been done to establish standards, plans, and action steps to achieve a media ecosystem that eliminates 11 categories of harmful content for the benefit of the consumers we serve.

Today the Alliance is accelerating a cross-industry effort focused on the highest immediate priority: **to eliminate content that is hateful, denigrating, or discriminatory on all digital platforms and to ensure that advertising is not funding hateful content.** To advance this effort with the highest level of urgency, we are requesting immediate implementation of the following steps:

1. Agree to the GARM standards of what constitutes hateful, denigrating, or discriminatory content.
2. Measure and report the incidence of hateful content on various ad products, and conduct independent third-party auditing through the Media Rating Council.

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3. Measure and report the percentage of hateful content that is removed before it is seen, and provide the action plan and timetable for getting to 100 percent of content removed before seen.
4. Measure and report the incidence or probability that an ad is next to or near hateful content, and if it happens, define the steps for immediate remediation.
5. Provide advertisers with options to ensure ads are never on or near hateful content.

The GARM standards of what constitutes hateful content have been worked extensively and are ready for immediate agreement. We request a meeting with you on July 3 so we can accelerate progress, which has been far too slow. At the meeting, we want to gain your agreement to the action steps above, and to discuss an urgent timetable for completion of each step. From your responses, we will identify the next steps to move forward with urgency.

We are accelerating industry efforts to eliminate hateful, denigrating, and discriminatory content as it requires the highest level of priority, investment, and urgency. And to be clear, this accelerated effort is part of our broader objective to work with you to eliminate all categories of harmful content in the fastest possible timing in order to have a safe, productive, and useful media ecosystem for the people we serve.

We look forward to a productive meeting. Thank you.

Global Alliance for Responsible Media

Marc Pritchard
Chair, Association of National Advertisers
Chief Brand Officer, The Procter & Gamble Company

Raja Rajamannar
President, World Federation of Advertisers
Chief Marketing and Communications Officer, Mastercard

Bob Liodice
Chief Executive Officer, Association of National Advertisers

Stephan Loerke
Chief Executive Officer, World Federation of Advertisers

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Exhibit 7
HJC-WFA-GARM-000111209
Robert Rakowitz Coordinates with Australian eSafety Commissioner

Message

From: Julie Inman Grant [REDACTED]@eSafety.gov.au]
Sent: 11/11/2022 11:19:43 AM
To: Rob Rakowitz [REDACTED]@wfanet.org]
CC: [REDACTED]@esafety.gov.au]
Subject: Re: Twitter [SEC=UNOFFICIAL]

Hi Rob:

Thank you for sharing and well done for leading this important work.

Amazing what can happen in just a few days - talk about a total Twitter meltdown! It makes me so sad for the company I really loved working for - and for my former colleagues.

Your line of questioning is broadly consistent with the concerns I raised in my letter and I imagine you gleaned more following the Spaces call to the advertising community.

You have some very powerful levers at your disposal. We would be grateful if GARM can keep us updated on how Twitter responds and share any information, so we can take into account in our engagement and regulatory decisions.

I'm on my way to DC tomorrow and am looping in [REDACTED], who is on point for these issues on my team. It will certainly be fascinating to watch this all unfold.

Julie

Sent from my iPhone

> On 9 Nov 2022, at 10:59 pm, Julie Inman Grant [REDACTED]@esafety.gov.au> wrote:
>
> That must be soul destroying, Rob!
>
> I worked in the 102nd Congress at a time when members worked across parties on issues of mutual concern. America is not the country of promise I grew up in or left 22 years ago. It makes me sad to see the societal polarisation and deterioration on so many fronts - and frankly, the violence that permeates discourse-in the name of free speech - not to mention the more obvious Second Amendment.
>
> Move to Australia!!!☺
>
> Julie
>
> Sent from my iPhone
>
> > On 9 Nov 2022, at 10:53 pm, Rob Rakowitz [REDACTED]@wfanet.org> wrote:
> >
> > Yes - we need to connect on that too
> > I have a playbook and CMO call to action if like your input on

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I need to be spending more time with you

Oh and election results
My main thing is I need to see Trump and denials effectively sidelined but I am afraid the contagion is too widespread to protect infection overall

I have little faith in either part establishments - and I say this as a first generation American who is a refugee from anti Jewish persecution in pre-state Israel and Iraq.

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media
World Federation of Advertisers

[redacted]@wfanet.org

From: Julie Inman Grant [redacted]@eSafety.gov.au>
Sent: Wednesday, November 9, 2022 6:48:14 AM
To: Rob Rakowitz [redacted]@wfanet.org>
Subject: Re: Twitter [SEC=UNOFFICIAL]

Let me know what you hear - I just met with [redacted], their [redacted] today, who was here launching a metaverse safety initiative….

Sent from my iPhone

> On 9 Nov 2022, at 10:45 pm, Rob Rakowitz [redacted]@wfanet.org> wrote:
>
> Also saw
> Asking them now
>
> Rob Rakowitz
> Initiative Lead - Global Alliance for Responsible Media
> World Federation of Advertisers
>
> [redacted]@wfanet.org
>
> ---
>
> **From:** Julie Inman Grant [redacted]:@eSafety.gov.au>
> **Sent:** Wednesday, November 9, 2022 6:41:13 AM
> **To:** Rob Rakowitz [redacted]@wfanet.org>
> **Subject:** Re: Twitter [SEC=UNOFFICIAL]
>
> Rob - It's getting late here so I will take a look tomorrow and will keep confidential - will suggest a few times when we might connect but open to discussing vectors for mutual support.
>
> Just saw that the Meta layoffs hit - hope it doesn't disproportionately hit trust and safety as well. I suspect this was a

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bit more about tackle overall "bloat and underperformance" but will watch…

Julie

Sent from my iPhone

On 9 Nov 2022, at 10:32 pm, Rob Rakowitz [redacted]@wfanet.org> wrote:

So lovely to hear from you!

I am sharing the attached in confidence with you.
There is an ongoing major intervention.

PDF sets out a plan
Email is a short term RFI

Neither of these are in public domain, yet. And would be good to cross-check them and see how they line up with you.
It would be great to line up together around a shared agenda.

I am also writing a piece now on how brand safety has nothing to do with controlling freedom of speech and everything to do with correcting an imperfect marketplace that has led to things like [redacted] suicide.

I'm getting tired of the false debates.

Let's 100% connect – maybe virtual in the short term.
100% would love to see the team in person.

Best as ever – you are an inspiration!
Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
Brussels • London • New York • Singapore
[redacted]

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Although I have sent this at a time that is convenient for me, it is not my expectation that you read,
respond or follow up on this email outside your hours of work.

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From: Julie Inman Grant [redacted]@eSafety.gov.au>
Date: Wednesday, November 9, 2022 at 06:11
To: Rob Rakowitz [redacted]@wfanet.org>
Subject: Re: Twitter [SEC=UNOFFICIAL]

Hi Rob - I saw the GARM post on LinkedIn and was really pleased to see this proactive approach. I would be very interested in seeing your six points. I believe GARM has significant collective power in helping to hold the platforms to account and I appreciate your informing the importance of both brand and platform safety.

Interesting to hear your perspective on Blue & Birdwatch. It is very hard to piece together what seems like a very erratic and reactive strategy. On one hand, this could be seen as a very basic revenue generating machination and a way to target the bots and scammers by undermining the economic incentive to mass create accounts....but, they clearly haven't thought through the multiple spill on events.

I gather you saw that I wrote to Mr Musk and was questioned about my thoughts at Senate Estimates?

Not sure I will get an immediate response...here is the letter, since it is now in the public record.

As an aside, I'll be in DC next week launching a global online safety regulatory network at FOSI, then in Seattle and San Fran. My team member, [redacted], will be up in NYC on the 18th but happy to try and touch base further whilst I'm stateside.

How 'bout this election???????

Thanks for reaching out and for advocating for such important change! Julie

Sent from my iPhone

> On 9 Nov 2022, at 9:47 pm, Rob Rakowitz [redacted]@wfanet.org> wrote:
>
> Hi Julie -
>
> I hope you've been well.

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I've issued Twitter a detailed list of questions and I fear we won't hear back on them in a meaningful way.

One of the 6 areas I raised was how collapsing Blue and Birdwatch will increase the quality of content and avoid abuse? As we know bad actors in misinfo are many times stat funded and coordinated $8 accounts to tip a content rating and an algorithm recommendation engine is a clear issue. The only thing I can thing is perhaps it's intentional.

Happy to connect and share our overall plan and questions.

Let me know if there's a desire to connect.

Best

Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media
World Federation of Advertisers

[redacted] /
[redacted]@wfanet.org

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<Twitter GARM Steer Team Observations Action Plan.pdf>
<Re- GARM- Advice on industry-wide communications.eml>

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Exhibit 8
HJC-WFA-GARM-000113799
GARM's "Punchy Requests" to Ensure Twitter Upholds Commitments

Message

From: Rob Rakowitz [redacted]
Sent: 21/11/2022 9:35:07 AM
To: Stephan Loerke [redacted]@wfanet.org]
Subject: Re: [External] - GARM x Twitter: Decision on statement, pacing to 1 Dec

Hi -

OK - no statement to members but I will dust off the reactive one just in case we have inbound inquiries.

The questions attached were given to Twitter ages ago and they've not responded to them but they were acknowledged (distributed on 6 Nov).

The survey results and the survey itself and the social listening those are all below the waterline.

I think we will use the survey + listening + implementation grids to make 3 punchy requests to Twitter to ensure they are upholding commitments (e.g., opening the platform to 3P measurement in absence of Yoel and team). The point is that they don't have a team now and we need to deploy some sort of sonar array to determine when they run aground - at least with their understanding and at best with their cooperation.

Can chat before 630a NYC.

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media
World Federation of Advertisers

[redacted]@wfanet.org

From: Stephan Loerke [redacted]@wfanet.org>
Sent: Monday, November 21, 2022 4:18:29 AM
To: Rob Rakowitz [redacted]@wfanet.org>
Subject: RE: [External] - GARM x Twitter: Decision on statement, pacing to 1 Dec

Hi Rob,

Would you mind sending me a copy of Yoel Roth's NYT opinion as I don't have a subscription?

Thank you for starting the prep for Dec 1.
I don't think we should be reacting publicly to Musk's decision to reinstate Trump. We may well get Qs, but we shouldn't make a statement proactively. There is going to be a never-ending flow of headlines from Musk and Twitter in the months to come.

However, I do think we should prep the Dec 1 session very thoroughly. And thanks for putting together an initial draft list of issues we should be raising.

Have you heard anything from the Twitter team (or what remains of it) re Dec 1? Are they still confirming their participation?

Here are my suggestions:

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- I think it would make sense to share with Twitter the broad topics (not the exact Q of course) we want to grill Musk on ahead of the meeting. We should try and avoid the Zuckerberg situation of "Thank you for the Q, we'll get back to you on this".
- We should send by Mon Nov 28 COB a prep note to the Exec Co – confirming (hopefully) Musk's participation, a simplified executive summary of what happened at Twitter so far and the Qs it raises + the broad topics that we want to address
- We should seed Qs with the Exec Co members and the SteerTeam members ahead of the session.

Lets chat to today. Call me when you can.

Thanks

Stephan

From: Rob Rakowitz [redacted]@wfanet.org>
Sent: 20 November 2022 16:15
To: Stephan Loerke [redacted]@wfanet.org>
Subject: FW: [External] - GARM x Twitter: Decision on statement, pacing to 1 Dec

Hi –

Happy Sunday.

As a heads up – I am consulting with the Steer Team to see if there is a common PoV on the value of a statement. The situation is completely fluid, and I have even stated we may be seeing Musk do a high-profile test on moderation (Trump is free to post, but Twitter not obligated to carry)

Putting Trump and his political views completely aside, and being disciplined, this is a significant development in terms of new commitments and not upholding them.

[redacted] (our last person at Twitter) would like to leave but can't afford to money-wise (I've told him I'd be of help and we do have some margin to retain him as a consultant – and honestly he'd be a massive fit skill-wise and energy).

Obviously, WFA would be lead voice on raising concern to marketers and GARM being able to surface the technical issues to keep things clean.

I am trying to put together a psychological profile on Musk for us; this is the first time he is dealing with real stakeholders in any of his business ventures (SpaceX is a play to outsource government unwilling to invest, Tesla is vertical integration without having to deal with dealer network, PayPal was creating a scaled payments vehicle outside of the banks). There is also a lot of rash decisions without thinking thru consequences or worse intentional chaos (reducing staffing, blue, Trump reinstatement). I think there is something also very status-driven or external-confirmation driven about him; he's in panic mode and is looking to divert attention and is looking for affirmation (to cover his disapproval from investors and advertisers) from Twitter users who are mainly bots.

To me, the psychology angle will be key – it was during the walk-back of the Cuban Missile Crisis.
But the last thing I want to do is to have us be Neville Chamberlin after Dec 1.

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Thanks,

Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
Brussels • London • New York • Singapore
[redacted]

WFA values and encourages flexible working patterns, with teams working across multiple time zones. Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside your hours of work.

From: Di-Como, Luis [redacted]@unilever.com>
Date: Sunday, November 20, 2022 at 09:02
To: Rob Rakowitz [redacted]@wfanet.org>
Cc: DAngelo, Gerry [redacted]@pg.com>, [redacted]@effem.com>, [redacted]@diageo.com>, Joe Barone [redacted]@groupm.com>, [redacted]@mastercard.com> [redacted]@isba.org.uk>, [redacted]@4as.org>, [redacted]@4as.org> [redacted]@ana.net> [redacted]@modernmediasolutions.org>, [redacted]@wfanet.org>
Subject: Re: [External] - GARM x Twitter: Decision on statement, pacing to 1 Dec

Hey team, I'm ok on describing the latest developments based on information that we received from twitter or is well documented public knowledge . Also, adding the questions of the survey
I will stay away of any kind of recommendation of investment or saying that we have concerns on biz continuity... we should try to describe without judgment and be as fact based as possible

Luis Di Como
EVP Global Media
Mobile [redacted]

> On Nov 20, 2022, at 08:33, Rob Rakowitz [redacted]@wfanet.org> wrote:
>
> Hi all –
>
> I wanted to send out a note on a few things:
>
> 1. Registering the latest developments
> 2. Determining if we do/say something
> 3. Pacing ahead of the 1 Dec Meeting
>
> I would like some feedback on whether or not we should be planning on a statement on Twitter since so much has changed since Thursday last week.
> **Please let me know if you would like us to issue a statement or not** (can be done via WFA per previous discussions).

Registering the Latest Developments

1. Twitter commercial leadership is in disarray: [redacted] who was the new CRO is no longer at Twitter (accounts she refused to cut her team further), Yoel Roth who led site integrity resigned on Wednesday, and [redacted] who led product revenue left on Thursday (she was no longer aligned with operations, political culture, and lack of resource for her role),

2. The latest developments mean that the face of Twitter is no longer, and the people leaving are leaving now because of a business continuity, role effectiveness, and company strategy. The notion is that Twitter will be unable or not care to answer advertiser requests – and in my view there is a deliberate attempt by ownership to make sure that the operations can't support advertisers (as a means of shedding them and their influence)
3.
4. Yoel Roth wrote an Op-Ed in the NYT on Friday, acknowledging GARM and portraying advertisers as a bulwark against Musk and his absolutist views, making us unwelcome (and I know for many of you the feeling may be mutual) https://www.nytimes.com/2022/11/18/opinion/twitter-yoel-roth-elon-musk.html?smid=nytcore-ios-share&referringSource=highlightShare

5. Trump was reinstated by a Twitter user poll. This to me, shows an increased pattern of behavior of 'crowd source decision making' (recall Elon's angry poll on advertisers and freedom of speech a day after our letter) – all of which line up with his original plan of verified accounts (blue) having an outsized role in content recommendation and quality assessment (birdwatch) which is the 'big idea for Twitter 2.0). My hypothesis is further proven in pictures of whiteboards tweeted on Friday night from Elon) – please see attached and please note Timeline scorer and Earlybird as proof this is still to come.

6. The reinstatement of Trump is a complete 180 on commitments made to advertisers Musk's 'listening tour sessions' initiated with WPP on 2 Nov and run thru 7 Nov with just about every agency. In these sessions he pledged to countless advertisers and agencies that no major decisions on accounts or content would be done without an impartial and independent content review council set up. Moreover, he pledged in the Twitter Influence Council on 4 Nov that advertisers and agencies would be informed and consulted prior to shifts in policy, product.

7. I do have a hypothesis that Musk may use Trump as a high-profile example of 'freedom of speech, but not freedom of reach' in that he may allow him to post but may suppress anything that is misleading or divisive. This is a 'big maybe' but is the only thing that I would say would keep me from staying silent if asked by members for my opinion

8. I spoke with [redacted] last night over text while traveling back from Chicago and he is conflicted about his next moves from a what he wants to do and what he can afford to do

Determining if we do/say something

9. Not saying something may question or resolve or effectiveness externally.

10. The rationale for GARM or WFA saying something is **deepening concern on business continuity, responsiveness to GARM questions, and walking back to new commitments made by new ownership since 28 Oct**.

11. The statement would register why advertisers should be concerned. **We should also consider releasing the list of questions we have of Twitter on a blogpost**. These are legitimate and not leading.

12. We would also **point to the formal meeting on 1 Dec**.

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13. The only reason not to say something is seeing what moderation policies Twitter will enforce or not.

Pacing to Dec 1

14. As a reminder we have our meeting upcoming with Twitter on Thurs 1 Dec (you should all have calendar holds). The Steer Team Sessions will be critical. If we are unable to make a quota in them we will need to seek alternative time or alternative means for alignment.

15. In the lead up we will have the following:
    1. Overview of insights from survey, alignment on preread outline (Tues 22 Nov)
    2. Discussion of preliminary provocations (Tues 22 Nov)
    3. Alignment on Platform Integration Grids (Tues 29 Nov) + public facing

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

WFA - World Federation of Advertisers
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[redacted]

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<NewTwitterStrategyWhiteboard.jpg>
<GARM Twitter Questions 6 Nov.docx>

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Exhibit 9
HJC-WFA-GARM-000113922
WFA and GARM Coordinate with the European Commission

Message

From: Rob Rakowitz [redacted]
Sent: 02/11/2022 12:50:31 PM
To: Stephan Loerke [redacted]@wfanet.org]; [redacted]@wfanet.org]
CC: [redacted]@wfanet.org]
Subject: Re: GARM / Twitter plan

LOVE THIS

I am so happy to be firing on all pistons and showing up in the *only* way WFA / GARM / DGX can do together

...it also helps that [redacted] tolerates my wild conspiracy theories and equally weird sense of humor...

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

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From: Stephan Loerke [redacted]@wfanet.org>
Date: Wednesday, November 2, 2022 at 08:21
To: [redacted]@wfanet.org>, Rob Rakowitz [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: RE: GARM / Twitter plan

Great to have the EU Commission on our side

From: [redacted]@wfanet.org>
Sent: 02 November 2022 13:15
To: Rob Rakowitz [redacted]@wfanet.org>; [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: RE: GARM / Twitter plan

I think this sounds like a great plan, Rob. Let me know when/how I can support

FYI I just spoke to Prabhat Agarwal (Head of Unit for Platforms at DG Connect, European Commission) here in Prague during a European Commission conference. He's very keen to hear our perspectives on Musk Twitter acquisition. I said we'd follow up with him to set up a time to discuss and share our perspectives/concerns. He said a conversation with us would be a priority for his teams – a real testament to how much they value our expertise and collaboration!

He's aware that Twitter's brand safety teams are changing and there could be opportunity, as the Commission engages with Twitter themselves in the context of DSA, for us to encourage the EC to push Twitter to deliver on GARM asks

I suggest we reach out to Prabhat towards the mid/end of next week, when we have approval on the below plan, responses to the benchmark (the questions for which we are currently finalising) and further data on safety monitoring. We'll need to align on what we want our key messages to be

Let me know your thoughts,
[redacted]

From: Rob Rakowitz [redacted]@wfanet.org>
Sent: 02 November 2022 05:16
To: Stephan Loerke [redacted]@wfanet.org>; [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: Re: GARM / Twitter plan

One last thought for the night.
I think we need to communicate to the Community on Monday.
We communicated on Twitter and LinkedIn and via the press – but I need the Community on side and hearing from us on the plan.

Here is the broad message track:

1. We are watching and are concerned given the context and continuity issues
2. We are meeting at the executive level and continue to meet at the operational level
3. We are monitoring safety, and we are tracking and will publish against GARM-level commitments by Twitter and other platforms
4. Goal is to provide you with objective data on implementation and insights to support brand safety decision making
5. Remediation plans are available to all platforms, as with previous incidents elsewhere, and we have seen progress where there's openness and commitment

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

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[redacted]

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From: Rob Rakowitz [redacted]@wfanet.org>
Date: Tuesday, November 1, 2022 at 23:45
To: Stephan Loerke [redacted]@wfanet.org>, [redacted]@wfanet.org>
Cc: [redacted]@wfanet.org>
Subject: GARM / Twitter plan

Hi –

I had a good call with the Steer Team today and we aligned a plan that is fact-based and good.
Musk is apparently having a call with WPP and some of their key advertisers tomorrow that I am slipping in the backdoor to (don't ask, don't tell).

I've told them to point Twitter and Musk to GARM, and they've agreed.

Attached is our plan agreed today within the Steer Team.
We are doubling down on where our power is; standards and transparency and allowing advertisers to make informed decisions, while at the same time offering platforms a remediation plan.

Linked to Step 3 in the PDF page 3, we are also going to make the implementation grids (outdated version attached) go public ahead of the meeting (with a comment period). This way it's not singling Twitter out, but we know where eyes will be. Any moves by Twitter forward or backward (or any platform for that matter) will be visible and highlighted in updates. "Hey man, we agree the standards together, I monitor your progress, it's not my decision to move ad spend."

This feels damn good.

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

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[redacted]

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Exhibit 10
HJC-WFA-GARM-000114314
GARM Steer Team Short Term Action Plan

Twitter: GARM Steer Team Acquisition Concerns

1. Context is sensitive at best, divisive at worst: The time of the acquisition and transition is marked by several sensitive events; Iranian regime protests, Israeli elections, US midterm elections, Ukraine War, UK government transition, rise in US antisemitism. The polarized views in each of these topics only manifest themselves online – with Twitter being an open feed venue (more open than Instagram, Facebook) and its ability to be exposed to negative behaviors like brigading.

2. Musk's direction on platform control is inconsistent: Since acquisition Musk has promised not to reinstate controversial accounts until a content review council is set up (NB content reviews and accounts are usually separated in other platforms). However, Ye has been partially reinstated, and Trump has been approached (although he allegedly refused the idea of returning). Musk's actions and his statements may be at odds.

3. Layoffs and resignations of key staff leave resourcing questioned: Musk cleared executives in his first acts (CEO, CFO, Policy/Trust & Safety Lead), makes public a plan to layoff 25% of staff, and has also seen key voluntary departures (CMO, People Officer, Revenue Officer, Customer Officer). Key disciplines like platform trust & safety, brand safety, client management (agency and marketer) are left to middle management. It is unclear of reporting lines and decision-making abilities.

4. Microaggressions are coming in from fringe networks as a stress test: Many polarized users view Musk's acquisition as a victory for harmful acts and content. Early reports show a 500% increase in the use of the N-word. An antisemitism watchdog start-up in Israel reports a 600% increase in antisemitic bullying (NB they already work with another GARM platform on moderation). An agency member of GARM a 2x increase in harmful conduct on the platform since the acquisition closed. It is open season and the team previously tasked with moderating the platform has gone from disengaged during the deal period to dismissed post-acquisition

5. Corporate governance: Musk has eliminated the Twitter board, and has made himself CEO, despite owning and being CEO in other ventures (Tesla, SpaceX). There are real concerns that Musk can run all three ventures with one requiring a live-time decision making muscle, cognizant of user safety concerns.

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Twitter: GARM Steer Team Short Term Action Plan

Context: With the sensitive external environment, platform access concerns, and reduction in force, many advertisers have expressed concern, confusion, or conviction on Twitter's ability to be suitable for advertising investment. Simultaneously a call by NGOs (some affiliated with GARM's NGO Consult Group) for advertisers to boycott Twitter launched on 4 Nov (Stop Toxic Twitter). Worryingly this has triggered Elon Musk to engage in discussions and encourage a counter-boycott of advertisers leaving his platform.

Upholding Commitments + Maintaining Continuity: With the shift in ownership and adjustment to Twitter, we must have Twitter maintain platform and brand safety operations. We must also ensure we monitor the delivery of existing commitments, and communicate any changes to the GARM Community, without filtering and without bias

Recommendation: GARM should take a role of identifying advertiser and agency concerns, identifying challenges in brand safety operations or implementation via fact-based research methods. GARM will drive transparency, and holding Twitter accountable to its prior commitments. GARM should reinforce its position of a standards setting, solutions building and transparency-building forum.

Precedent: GARM did not expel Facebook during its brand safety incidents in 2020. Facebook did agree a reform plan based on GARM's provocations. That reform plan execution is still underway

This stance preserve's GARM's neutrality and avoids a potential adversarial legal backlash that could deleverage advertisers and agencies, and trigger regulatory scope expansion to monetization.

Upcoming milestones: The WFA ExecCo and GARM Steer Team are set to meet with Elon Musk on Dec 1. The Steer Team will also engage with the remaining Twitter Brand Safety Team.

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Twitter: GARM Steer Team Short Term Action Plan

While there is bias for action, GARM can help navigate advertiser perceptions and digital safety needs (whether platform or brand safety). GARM will use FACTS and DATA to help . Our timing is to have data ready linked to the WFA ExecCo on 1 Dec.

STEP 1: Run an advertiser survey via GARM to gauge advertiser perceptions on the transition to New Twitter	STEP 2: Review external ongoing social listening efforts to establish a fact-based narrative on platform and brand safety	STEP 3: Publish and make public existing GARM Platform Implementation Grids to monitor Twitter's upholding of key obligations
Status: In progress Inputs: Steer Team approval Partners: 4As, ANA, ISBA Timing: w/c 7 Nov fielding w/c 14 Nov release	Status: In progress Inputs: N/A Sources: Agencies, CyberWell Timing: ongoing Steer Team to review insights ahead of 1 Dec meeting	Status: Update complete Inputs: Rob + GroupM refresh Platform comment period Partners: N/A Timing: Platform comment 7 Nov, Member distribution 28 Nov

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Twitter: GARM Meeting Plan

Date / Time	1 Dec 2022 @ 8a NYC [virtual]
Attendees	WFA ExecCo + GARM Twitter Executive Team [confirmed] + TBD
Format	• GARM to recommend agenda + questions [sent as preread] • Questions to be led by ExecCo members [need to brief] • Rob to facilitate [impartially]
Preread	Share out of identified issues with corroboration sourced from: • Snapshot of Twitter status in GARM • WFA Advertiser Survey • Social Listening
Moderation	Allow for opening remarks Rob must tightly manage agenda, questions and answers Rob to prep individual leaders in the ExecCo
Working List of Topics to Probe [to be reformulated with data into the agenda]	1. Staffing + Resourcing: Check in on team, resourcing, avoid overuse of tech that has failed on things like CSAM [you can't have tech moderate on nuanced areas like cyberbullying] 2. Business Model: Plans to protect negative use of Blue + Birdwatch for moderation and monetization [you can't buy your way into better content moderation] 3. Relitigating Industry Standards + Commitments: New narrative on free speech v hate speech needs to be addressed as a slip away from Common Definitions [you can't have new terms that reinvent trust & safety] 4. Practical Concerns: Reflect on the positive and negative insights from the survey

Exhibit 11
HJC-WFA-GARM-000114771
GARM Drafts Statement to Members Implying Twitter is Unsafe for Advertisements

Message

From: Rob Rakowitz [redacted]
Sent: 11/11/2022 4:58:43 AM
To: Stephan Loerke [redacted]@wfanet.org]
CC: [redacted]@wfanet.org]; [redacted]@raymedia.biz]; [redacted]@wfanet.org]; [redacted]@wfanet.org]
Subject: Statement on Twitter
Attachments: Statement on Twitter Changes.docx

Importance: High

Hi Stephan –

I am sorry to wake you into a crisis.
The bird has gone from freed to fried.

Twitter has seen a raft of resignations this afternoon at the close of business NYC: CISO, Privacy, Security, Site Integrity, Revenue – all resigned. Elon has mentioned bankruptcy as a potential.

Be that as it may, the platform poses real risks; someone has spoofed Eli Lilly and has indicated that insulin will be free. Imagine how this impacts consumers or stock price!

I've crafted a message that needs to be posted ASAP and distributed. I have navigated the situation as best as we can in terms of our anticompetitive statues and have gone as close as possible as we can to saying "it is unsafe, cease and desist."

Please advise if you are in agreement with the need to issue a statement, and if you are OK with the approach. It is the start of business EU right now, and I am happy to work with the Brussels team to see this go live at the earliest possible time.

Thanks,

Rob

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

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Exhibit 12
HJC-WFA-GARM-000123316
GARM Steer Team Acknowledges U.S. Consumers Oppose its Behavior

Message

From: Rob Rakowitz [redacted]

Sent: 25/06/2020 2:27:33 PM

To: DAngelo, Gerry [redacted]@pg.com]; Di-Como, Luis [redacted]@unilever.com]; [redacted]@effem.com]; [redacted]@effem.com]; [redacted]@diageo.com; [redacted]@diageo.com]; John Montgomery [redacted]@groupm.com]; Joe Barone [redacted]@groupm.com]; [redacted]@4as.org]; [redacted]@ana.net]; [redacted]@isba.org.uk]; [redacted]@wfanet.org]; Stephan Loerke [redacted]@wfanet.org]; [redacted]@publicis.com]; [redacted]@umww.com]; [redacted]@dentsuaegis.com] [redacted]@aaaa.org; [redacted]@diageo.com]; [redacted]@diageo.com]

Subject: Re: Internal GARM Steer Team + APB session today

Hey all –

Please let me know who needs the invite for the call today – I can't see who's on the invite and want to make sure all are included

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

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[redacted]

WFA World Federation of Advertisers

From: Robert Rakowitz [redacted]@wfanet.org>
Date: Wednesday, June 24, 2020 at 06:47
To: "DAngelo, Gerry" [redacted]@pg.com>, "Di-Como, Luis" [redacted]@unilever.com>, [redacted]@effem.com>, [redacted]@effem.com>, [redacted]@diageo.com" [redacted]@diageo.com>, [redacted]@diageo.com>, John Montgomery [redacted]@groupm.com>, Joe Barone [redacted]@groupm.com>, [redacted]@4as.org>, [redacted]@ana.net>, [redacted]@isba.org.uk>, [redacted]@wfanet.org>, Stephan Loerke [redacted]@wfanet.org>, [redacted]@publicis.com>, [redacted]@umww.com>, [redacted]@dentsuaegis.com>, [redacted]@aaaa.org" [redacted]@aaaa.org>
Subject: Internal GARM Steer Team + APB session today

Hi all –

I wanted to get across why I am pulling us together later this AM – I think it's essential for us to have a clear set of requests of Facebook from the advertising and media community, hence the calendar block.

Personally, I feel it's critical that we're aligned in requests and prioritization and fallback positions in light of the following:

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1. Size of Madison Avenue v Main Street: We're c. 20% of Facebook revenues, with small and medium advertisers/agencies making up the volume

2. US Consumer attitudes: There's recent work from Gallup from March showing that 2/3 of US consumers value freedom of speech/expression over risks of exposure to harmful content. 44% have been in direct contact with harmful content, and still the majority of consumers prefer the status quo of s 230 of the CDA

3. Need to scale up: It's very clear that regulators are fragmented, the demand side is also largely fragmented so we're going to need to be very clear-minded and throated in requests – especially considering that there's issues beyond monetized content that we're likely to be discussing.

If you recall in the note we set out 4 territories for discussion:

- *Clarifying policies on incitement and disinformation*
- *Creating consistency in enforcement*
- *Improving adjacency controls for divisive topics*
- *Creating transparency in efforts*

As we work thru requests and practicality of requests given all of the above, we should come prepared to frame/discuss our requests and have them structured appropriately:

Tier 1: WE HAVE A CLEAR REMIT: Areas for GARM direct + overt requests – areas of direct control over paid media efforts spanning monetized content, monetized content adjacency (e.g., the creators we're underwriting and/or conversations we're immersing our brands in + better enforcement of the floor and suitability framework)

Tier 2: WE HAVE UNDERSTOOD INFLUENCE: Areas for GARM partnership on shared interest like societal impact, platform integrity (e.g., is the platform being bent incredibly by bad actors or coordination with disinfo and divisive content and incitement…tactics or changes for more effective and consistent enforcement of community standards)

Tier 3: WE HAVE KNOWN POSITIONS / OPINIONS: Areas for GARM provocation things that require a wild reexamination of internal policy and external engagement (e.g., is the platform keeping marketing content that is of peer quality, coordination with other platforms)

Hope this helps and looking forward to speaking.

Rob Rakowitz
Initiative Lead - Global Alliance for Responsible Media

World Federation of Advertisers
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[redacted]

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